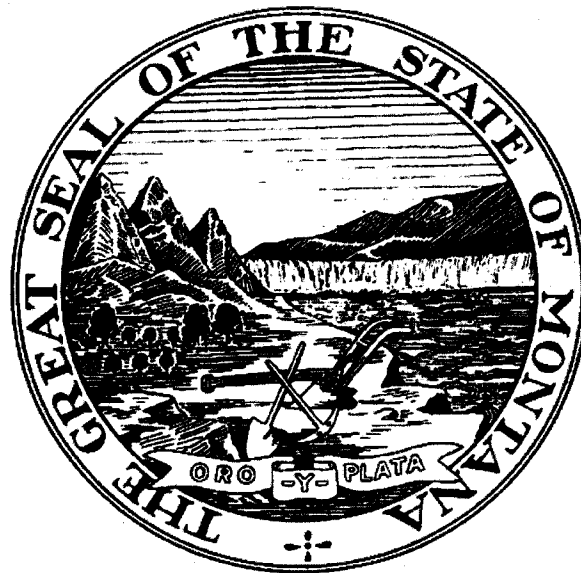


**SPECIAL EDUCATION REPORT TO THE  
62<sup>ND</sup> LEGISLATURE**

**January 2011**



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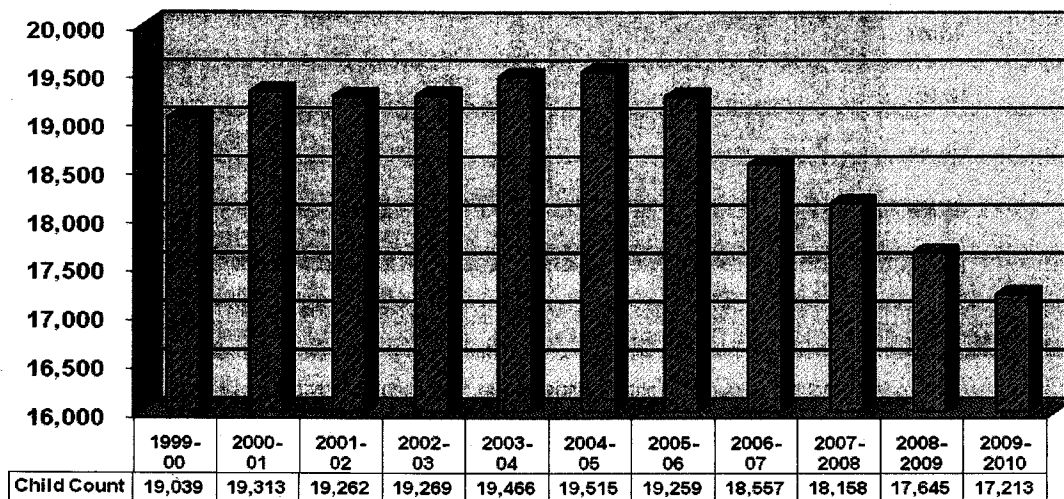
## **Part 1- Students Served**

### **Special Education Child Count and Student Enrollment**

Public schools must make available special education and related services to all IDEA-eligible (Individuals with Disabilities Education Act) students with disabilities beginning at age three and through age 18. Services to students, ages 19, 20, and 21, are permissive. That means the decision to serve 19, 20 and 21-year-old students is determined by the policies of the school district board of trustees [20-5-101(3), Montana Code Annotated (MCA), and Administrative Rules of Montana (ARM) 10.16.3122].

Students with disabilities receive a wide range of services, including specially designed instruction, transition services, assistive technology, and related services such as speech-language therapy, occupational therapy, and physical therapy. Both the type and the extent of services a student receives are individually determined based on the educational needs of the student.

**Special Education Child Count Longitudinal Data - Students Ages 3-21**



This is a count of students with disabilities who have a valid Individualized Education Program (IEP) in accordance with IDEA and are receiving services indicated on the IEP on the first Monday in October. The count includes students who are enrolled in public schools, publicly funded schools, residential treatment facilities that contract with the OPI to provide services to their students who are Montana residents, and students who are in private or home schools and are receiving services from a public school in accordance with a Services Plan.

Source: Child Count Data Files ([Opin\ntprd3\Share\SEDATA\BPE Report\July 2010](#) and [Share\SEDATA\Data Manager\Data ManagerInformation\Child Count](#))

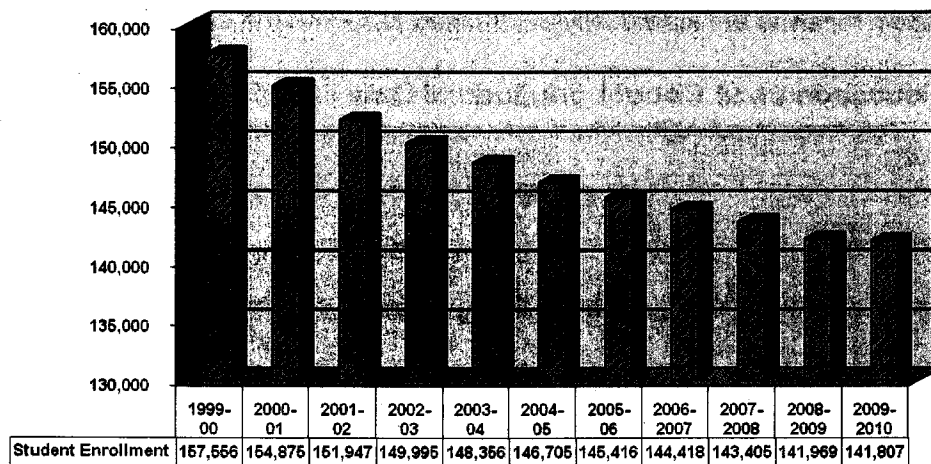
Analysis of the October 5, 2009, Child Count data (term used for the collection of student special education data) shows there was a decrease of 432 students from the previous year with the most significant decreases occurring in the speech-language impairment and learning disabilities categories. Analysis of the data also showed a significant decrease in the count of students reported in the disability category of emotional disturbance. Factors affecting the decrease include implementation of positive behavioral supports in general education and the positive effects of the implementation of over 100 Comprehensive School and Community Treatment Services (CSCT) programs in schools across the state. Students are not required to be eligible for special education services to receive CSCT services.

The disability category showing the most significant increase (7.27%) is Autism. This is reflective of what is occurring nationwide. Factors affecting this are the increase in numbers of students previously identified as having Autism and moving into Montana, as well as an increase in knowledge of how to more effectively identify children who meet the criteria for Autism.

Montana's Child Count (term used for the collection of student special education data) grew steadily from 1996 through 2001. From 2001 to present, the count has leveled off.

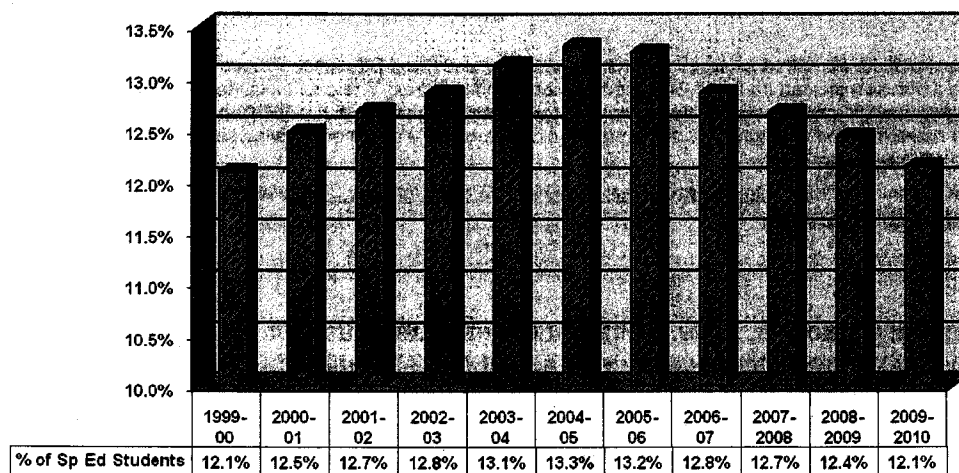
In contrast, Montana's public school enrollment has shown a steady decline since 1996. Because of declining enrollment at the same time special education Child Count has either grown, or in recent years remained steady, the proportion of students served by special education has increased.

### Student Enrollment Longitudinal Data Grades Pre-Kindergarten through 12



Source: Montana Public School Enrollment Data. (Published yearly by the OPI)

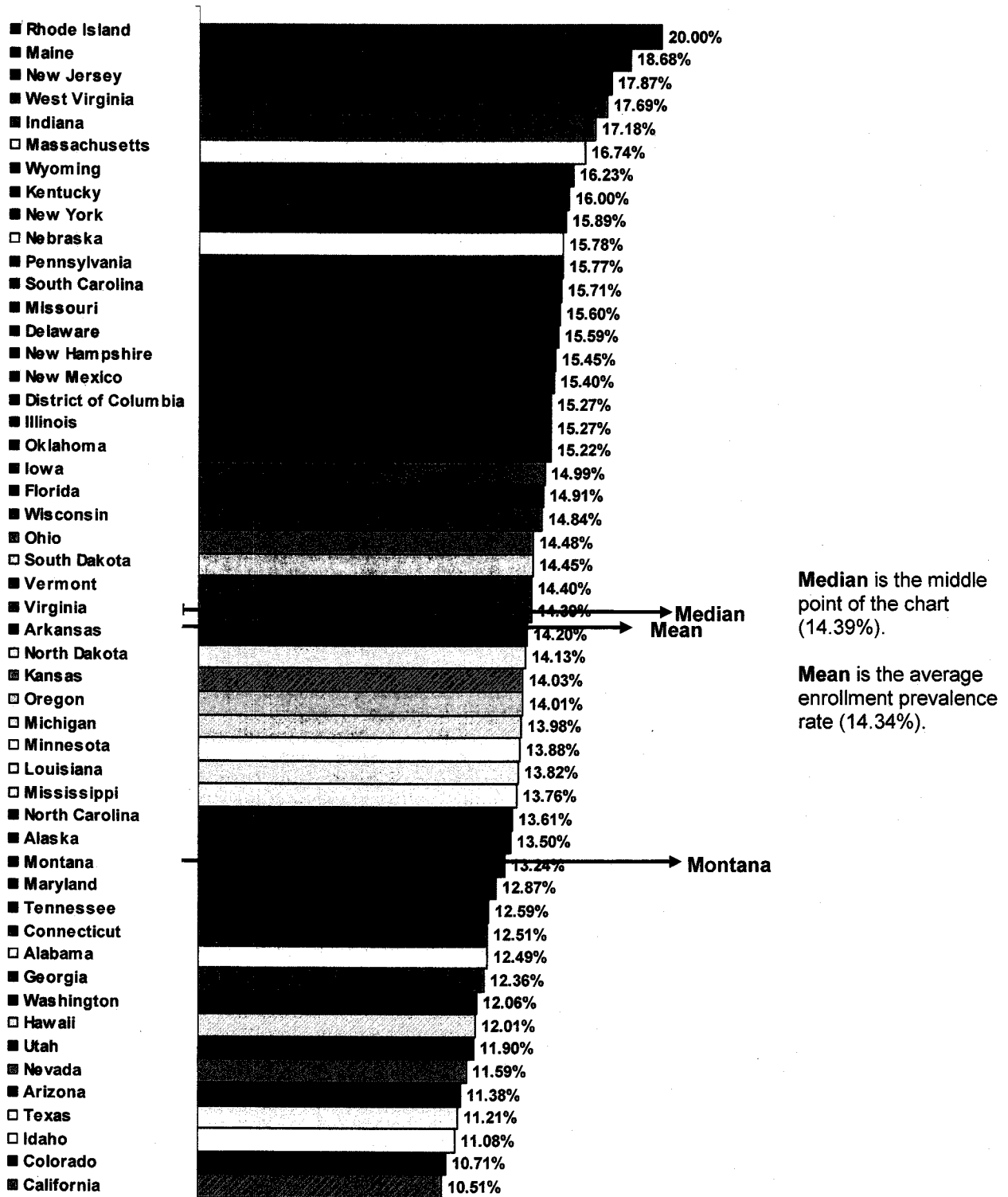
### Proportion of All Students Enrolled in Public Schools Who are Special Education



NOTE: Percentage is calculated by dividing the special education student count for the year by the total student enrollment for the same year.

Montana ranks below the mean in the percentage of students served under IDEA according to the Office of Special Education Programs, U.S. Department of Education.

**National Enrollment Prevalence of Children Served Under IDEA, Part B, During the 2005-2006 School Year.**



Source: Ileadata.org Part B Data & Notes/Trend Data Files/Table B1, Number and Percent of Population Served (Ages 3-21), by State 1998 through 2007.

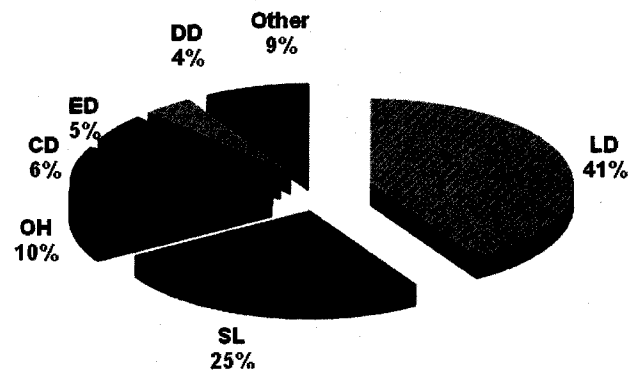
## Student Identification by Disability

The categories of Learning Disability and Speech-Language Impairment represent two-thirds of all students receiving special education services (LD=41%; SL=25%). The number of students identified under the category of Learning Disability decreased by 373. This decrease is the result of several large districts in Montana implementing general education interventions, including scientifically based instructional programs that reduced the number of students referred for special education.

A U.S. Department of Education, Office of Special Education Programs, policy letter issued in the early 1990s, and subsequent federal regulations finalized in March of 1999, listing attention deficit disorder/attention deficit hyperactivity disorder in the definition for Other Health Impairment (OH) have resulted in a dramatic increase in this disability category shortly after the change, but has leveled off in recent years. The number of students in Montana identified as OH grew from 177 students reported in FY '90 to 1,748 students reported in FY '10.

The number of students identified as having Autism (AU) has also increased substantially over the last 10 years. While Autism is considered a low-incidence disability category, the cost to address the needs of a child with Autism is high. In the first year that students were reported under Autism in Montana (FY '92) only two students were reported. Subsequent years have seen steady increase with the most recent count (FY '09) at 531 students reported.

**Disabilities by Percentage of Total Number of Students with Disabilities – 2009-2010 School Year**



**DISABILITY ABBREVIATIONS and Student Count for the 2009-10 School Year**

LD	Learning Disability - 7,094
SL	Speech-Language Impairment - 4,330
OH	Other Health Impairment - 1,748
CD	Cognitive Delay - 982
ED	Emotional Disturbance - 918
DD	Developmental Delay - 708
Other	Total - 1,439
MD	Multiple Disabilities - 553
AU	Autism - 531
HI	Hearing Impairment - 138
OI	Orthopedic Impairment - 67
VI	Visual Impairment - 58
TB	Traumatic Brain Injury - 58
DE	Deafness - 27
DB	Deaf-Blindness - 7

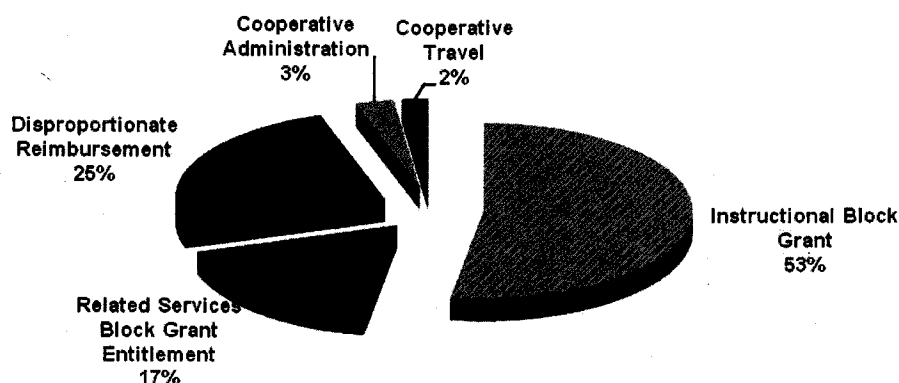
Source: Special Education Child Count conducted on October 5, 2009  
Opini\ntprd3\Access\Division\SpecialEducation\SQLCC\tblcc Child Count 2010.

An interesting effect of better identification of students with Autism shows that the total number of students identified with cognitive delay and those with Autism has remained fairly constant over the past several years with a small increase each year. The national concern that the incidence of Autism is increasing may be explained in Montana in part to better diagnostic tools available to educational professionals for an accurate identification of Autism.

## **Part 2 - Funding**

### **State Special Education Appropriation for 2010-2011 School Year**

Montana's special education funding structure distributes state appropriations in accordance with 20-9-321, MCA, based on a combination of school enrollment (not special education child count) and expenditures. Seventy percent of the appropriation is distributed through block grants (instructional block grants and related services block grants), which are based on enrollment. Twenty-five percent is distributed through reimbursement for disproportionate costs, which is based on expenditures. The remaining 5 percent is distributed to special education cooperatives to cover costs related to travel and administration. The following represents the breakouts for FY '10.



#### **State Entitlement for 2010-2011 School Year**

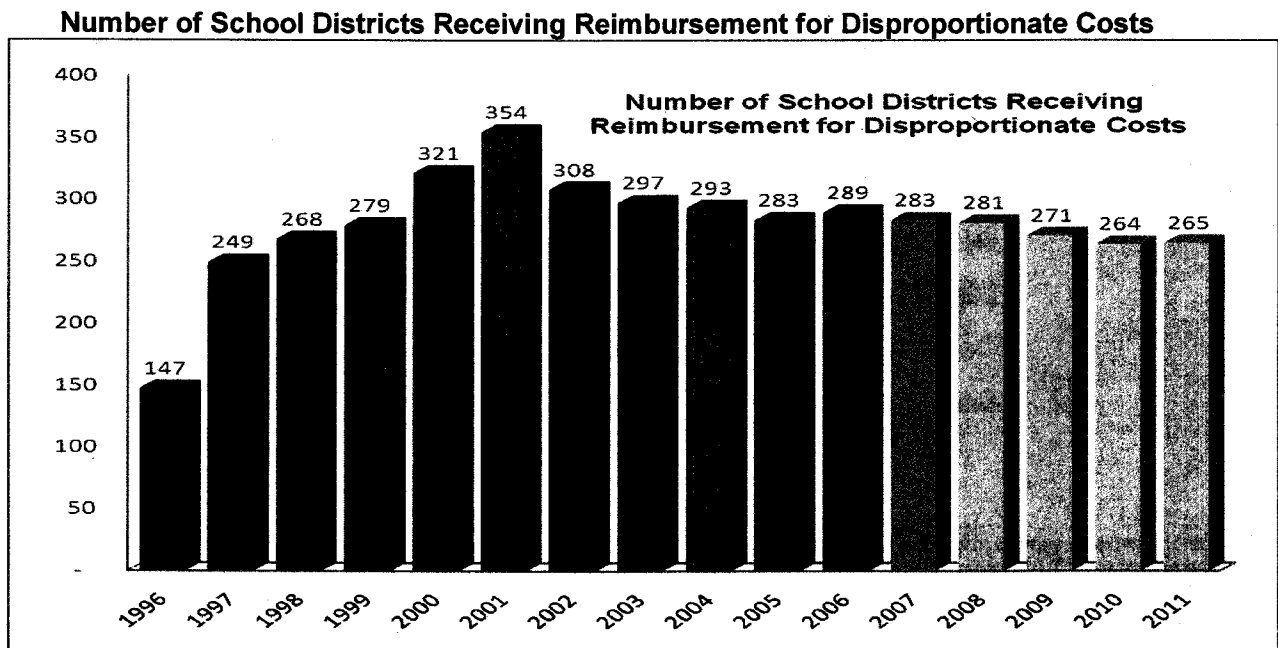
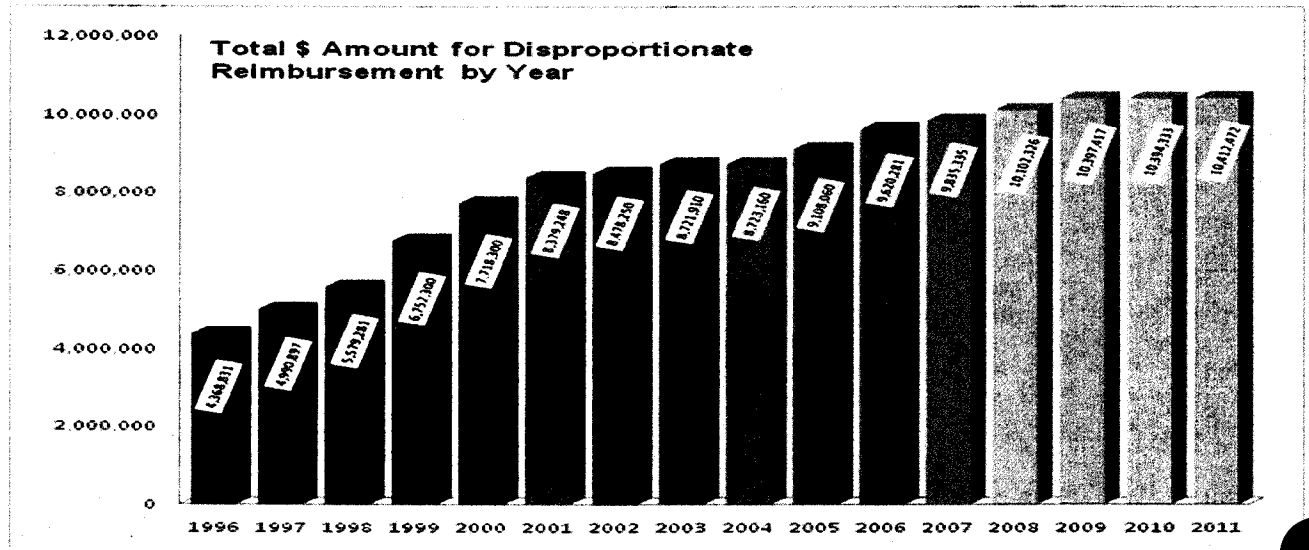
Instructional Block Grant	\$21,874,650
Related Services Block Grant	\$7,291,550
Disproportionate Reimbursement	\$10,412,472
Cooperative Administration	\$1,249,497
Cooperative Travel	\$832,998
<b>TOTAL</b>	<b>\$41,661,166</b>

NOTE: The total payment to schools is less than the total appropriation. A small amount of the appropriation is withheld to compensate for adjustments to ANB. Source: MAEFAIRS Qry Table SpecialEducation Dispro Cost and COOP SPED tables, created 12/2010



## Growth in Reimbursement of Disproportionate Costs

The proportion of the total state appropriation distributed in the form of reimbursement for disproportionate costs grew both in total dollars and in the number of districts receiving reimbursement for disproportionate costs through FY '01. The funding for disproportionate reimbursement was revised in FY '02 to fix the proportion of funds distributed under reimbursement for disproportionate costs and shift funding back to instructional and related services block grants. Today, any increase in funds distributed for purposes of reimbursement of disproportionate costs is due to an increase in overall appropriations for special education.

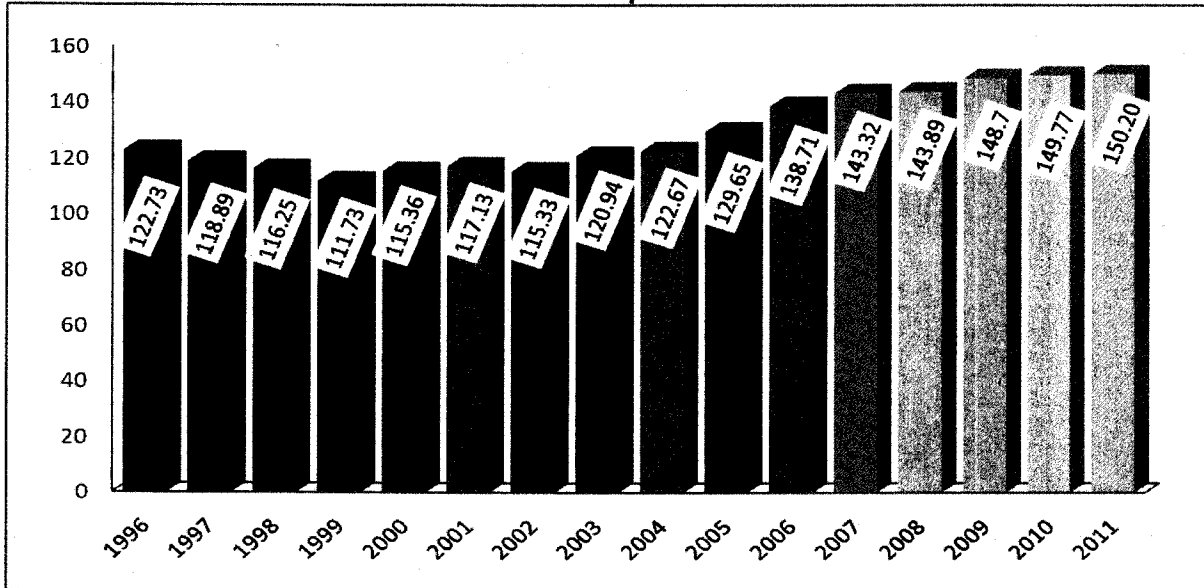


Source: MAEFAIRS Qry Table SpecialEducation Dispro Cost, created 12/2010

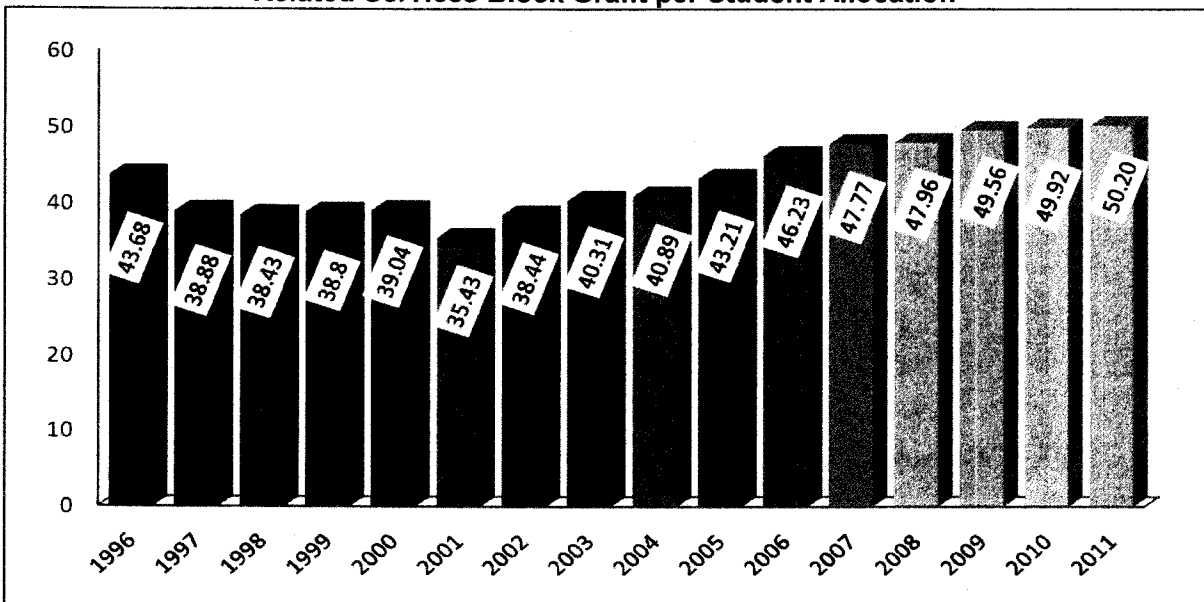
## Instructional Block Grants and Related Services Block Grants

With the 25 percent limit on the proportion of funds distributed in the form of reimbursement for disproportionate costs, the block grant rates (per student expenditure) are no longer declining and are instead increasing along with increases in state appropriations. This will benefit both schools and special education cooperatives. State special education cooperatives are significantly affected since they are not eligible for reimbursement for disproportionate costs and the related services block grant is the primary source of funding. This shift is supporting the structure of the funding model's emphasis on block grant distribution of funds.

**Instructional Block Grant per Student Allocation**



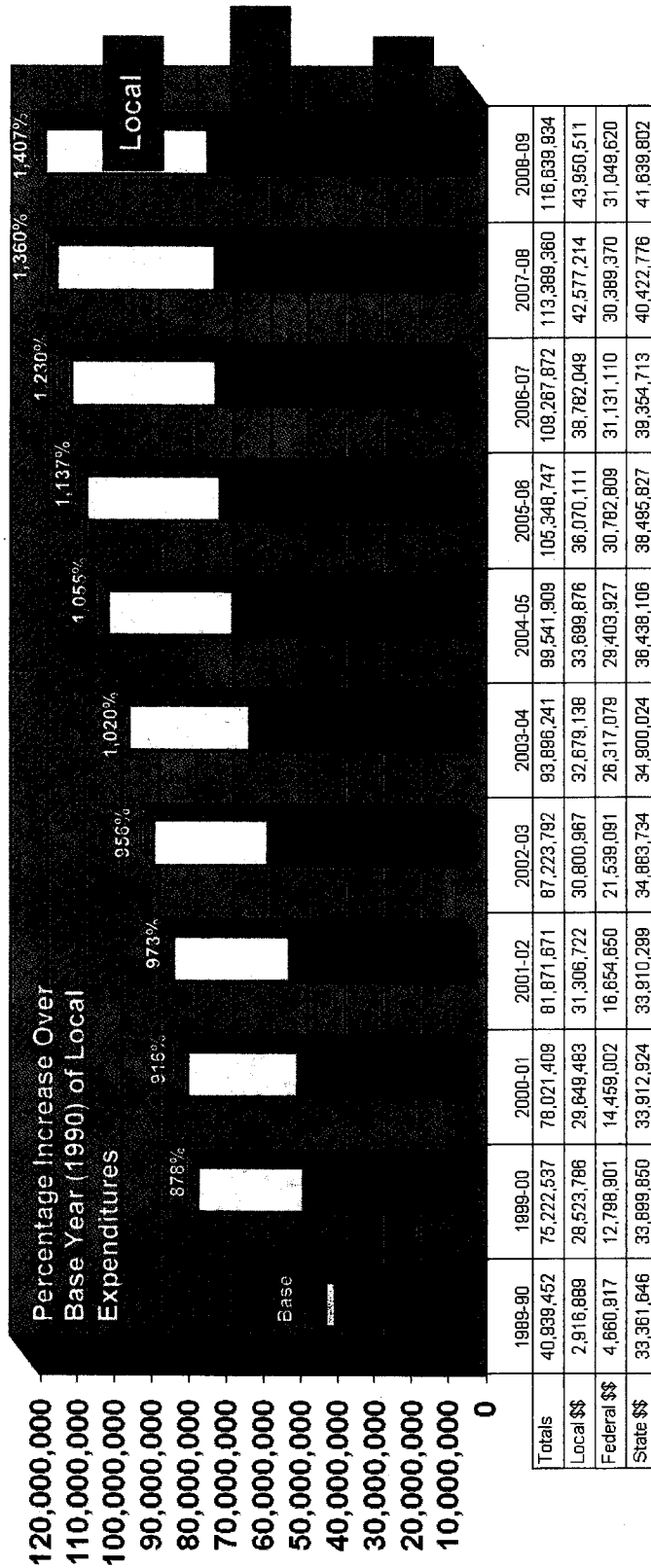
**Related Services Block Grant per Student Allocation**



Source: Source: GF Budget Spreadsheet, 06/2010

# Expenditures of State, Federal, and Local Funds Comparison by Year

Comparison by School Years 1990 - 2008



NOTE: This table may differ from previously released versions. Amounts are changed to reflect adjustments to trustees' financial summaries submitted by school districts.

Source: State - Special education payment amount provided by OPI accounting, which does not include reversion; Federal - Expenditures provided by OPI accounting (SABHRS year-end report); Local - Expenditures from board of trustees' financial summaries for special education allowable costs are reduced by the state payment amount to come up with the local amount.

### Federal

The growth in expenditures for special education has become an issue of national significance. On a national level, attention has been focused on the proportion of federal support for special education. The most recent information (November 2005) we have on the federal share of special education costs (national average) is 18.6 percent of the national average per pupil expenditure (Senate Democratic Appropriations Committee). Although this is a greater proportion of the national average per pupil expenditure than in the past, the proportion remains less than one-half the 40 percent level promised by Congress when the special education laws were first passed in the mid 1970s. If Congress were to fund special education at 40 percent of the national average per pupil expenditure, the level of funding would cover between 50 and 60 percent of Montana's special education allowable costs. This is due to relatively lower costs for special education in Montana, and the way the national average per pupil expenditure is calculated.

In Montana, approximately \$116.6 million were spent on special education in FY '09. This is a significant increase from FY '90 when approximately \$41 million of state, federal and local funds were spent on special education. Much of this increase can be attributed to inflation and an increase in the number of students served by special education. In FY '09, approximately \$31 million of the \$116.6 million Montana spent on special education came from federal revenue sources (approximately 27 percent).

### State

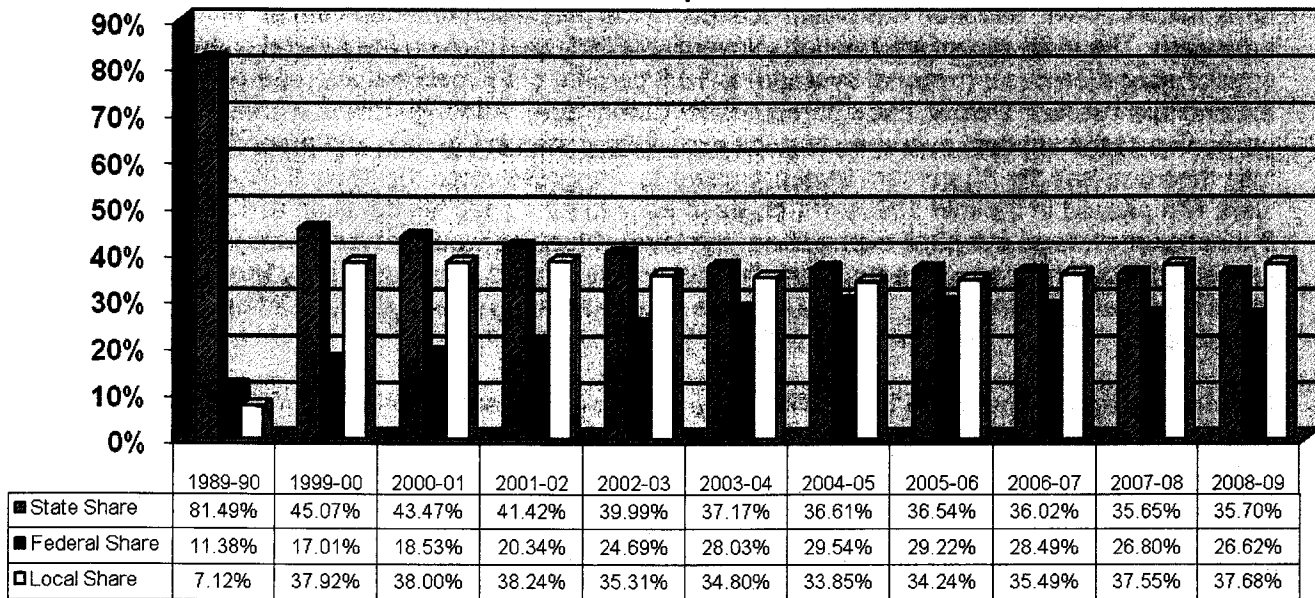
State appropriations for special education have fallen far short of the growth in costs. During a period of increased costs, coupled with flat state funding throughout the 1990s, the state share of the total costs of special education has slipped from approximately 81.5 percent in FY '90 to approximately 38 percent in FY '10.

### Local

The greatest share of funding for increased costs of special education has come from the local general fund budgets. Local school districts have absorbed the increase in costs of special education by increasing their contribution from approximately \$3 million in FY '90 to approximately \$43.95 million for FY '09. This represents an increase of over 1,100 percent in local district contribution for special education. In FY '03, for the first time since FY '90, the local expenditures for special education funding decreased. This likely occurred because state funding increased slightly (3 percent) and federal funding increased by 29 percent. However, in FY '04, state funding leveled off and local expenditures again saw an increase. In FY '05 and FY '06, state funding increased; however, local expenditures also increased with FY '09, comprising approximately 38 percent of the special education costs in Montana.

For purposes of this discussion, "local funds" means special education expenditures from the district general fund that are above the amount specifically earmarked for special education. The revenue source for these "local funds" includes both state base aid, guaranteed tax base and local revenues. These "local funds" are generally perceived as local because they are drawn out of the general fund budget and would have otherwise been available for general education. This shift in the allocation of local funds has been a serious concern for schools and parents and has, for a number of years, created an atmosphere of competition for dollars.

### Percentages of State, Federal and Local Funds Covering Total Costs of Special Education



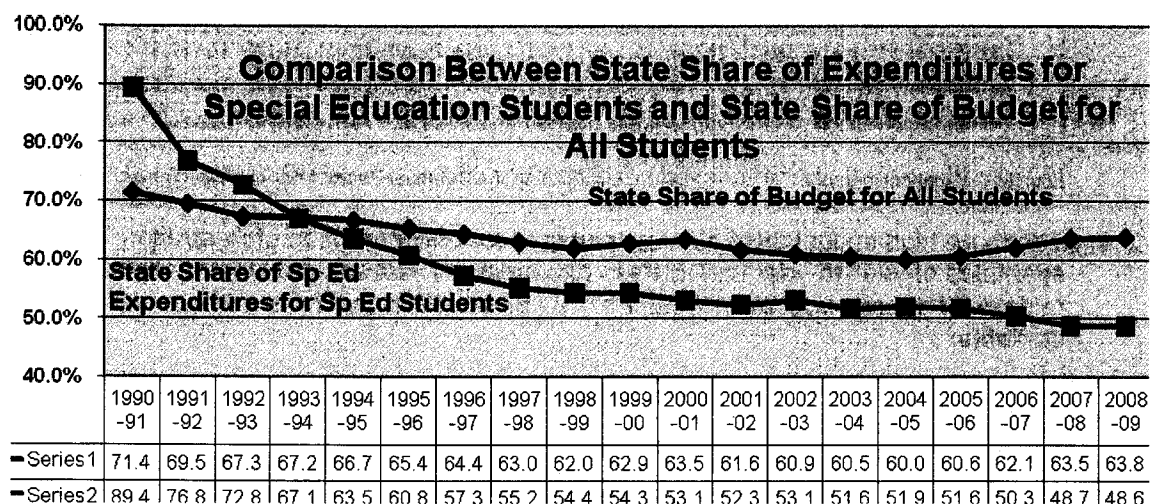
Source: State - Special education payment amount provided by OPI accounting

Over the years, the relative proportion of state, federal, and "local" funds covering the costs of special education has changed dramatically. State funding has remained relatively constant. Since FY '90, local districts have provided sizable increases in their contributions from "local funds." Beginning in FY 2000, federal funds have also increased substantially. As a result, by FY '06 the proportion of special education expenditures from state, federal and "local" funds is nearly equal.

## The General Fund

Another way to consider the impact of state funding of special education is to compare the percentage of state support for the school district general fund budget with the percentage of special education expenditures from earmarked state special education funds.

The percentage of special education expenditures in the general fund, coming from earmarked funds for special education, has slipped from approximately 89 percent in FY '91 to approximately 49 percent in FY '09. In the meantime, the state support of the general fund budget for all students has slipped from approximately 71 percent in FY '91 to approximately 63.8 percent in FY '09. At one time, the state share of special education general fund expenditures was 18 percent higher than the state share of the general fund budget for general education. By FY '09, the state share of special education expenditures was 15.2 percent lower than the state share of the general fund budget for general education.



Source: State - Special education payment amount provided by OPI accounting

This chart is provided for the purpose of illustration. The comparison is between special education expenditures for special education students and general fund budgets for all students.

The portion of the budget for all students that is not state share is comprised of local revenues (property taxes, non-levy revenues, and reappropriated monies). The portion of the expenditures for special education students refers only to earmarked state appropriations.

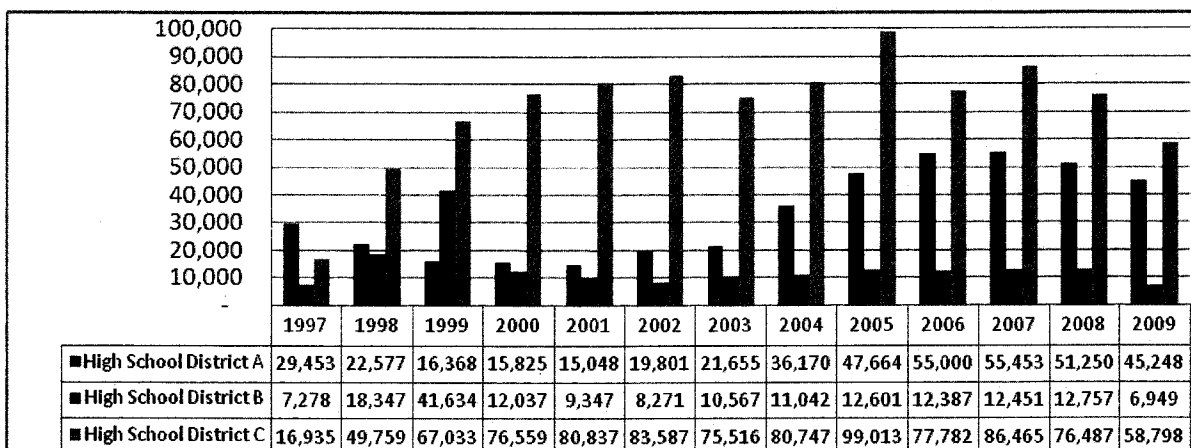
## Per Student Expenditure Comparisons at the District Level

The need for public school districts to redirect "local funds" to cover the cost of special education presents a significant challenge to districts. However, another dimension of the challenge public schools face when they budget for special education is the relatively unpredictable nature of special education costs, particularly for small districts.

Significant variation in special education expenditures exists between districts of similar size. Furthermore, significant variation in special education expenditures exists from year-to-year within the same district. The reasons for this variability are many. Differences in salary for personnel, proportion of students identified as eligible for special education, concentrations of group homes in

a community, and the costs of serving students with significant educational needs who enroll and later disenroll are some of the primary factors contributing to the variability.

### Year-to-Year Variability of District Special Education Expenditures



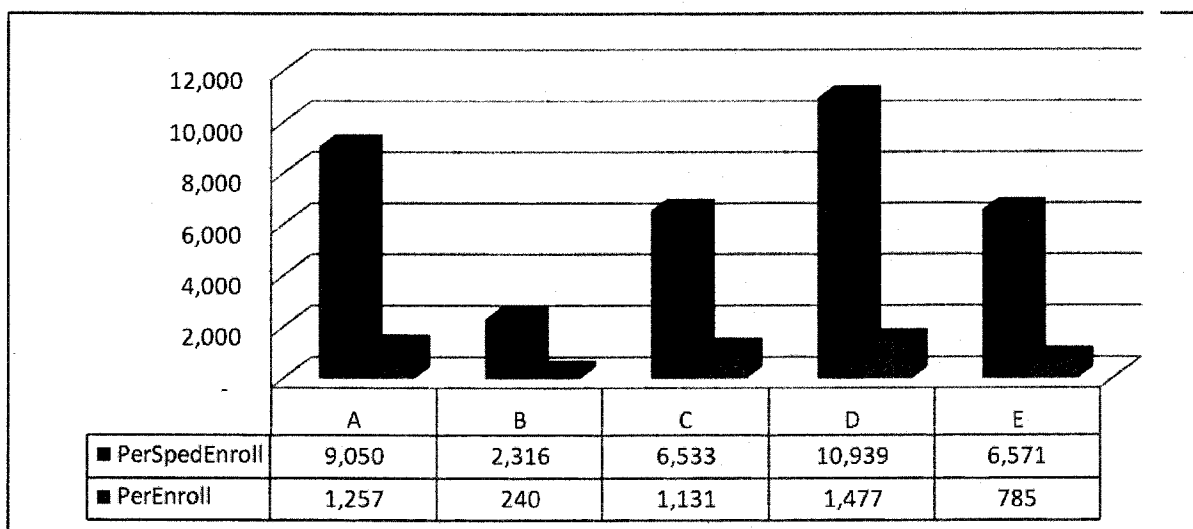
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The three high school districts were selected for only purposes of illustration, but are good examples of year-to-year variability in expenditures that some districts face when they try to budget for special education. The FY '09 enrollment in the three districts were all below 60 students.

House Bill 2 includes language that allows the Office of Public Instruction to distribute funds from the appropriation for in-state treatment to public school districts for the purpose of providing for educational costs of children with significant behavioral or physical needs. This fund can help to mitigate some of the cost variability. However, in FY '10 the OPI received approximately \$2.0 million in requests and have disbursed as of June 15, 2010, \$233,000.

In addition to year-to-year variability, significant differences exist between public school districts in the amount they spend on a per student basis. Variations between districts in expenditures on a per special education student basis is often caused by differences between districts in the number of students with significant needs, differences in salary due to level of education and experience of staff, and differences in programs and service delivery models.

### Special Education Expenditures per Student FY 2009



Source: State - Special education payment amount provided by OPI accounting. This graph represents federal and non-federal SPED expenditures excluding tuition payments for district residents placed in another district per Special Education Enrolled Student and Per Enrolled Student, Miscellaneous Program Fund, Impact Aid Fund, and Major Capital Outlay.

The first three districts are the same districts used as an example of the variability in special education expenditures from year to year. Districts D and E are large districts with enrollments in excess of 3,500 students. The above districts were selected for purposes of illustration of the variability between districts and are not typical. However, the selected districts serve as a good example of the difference between districts in their special education expenditures per special education student and the difference between districts in their special education expenditures per enrolled student. For example, in FY '09 District A spent approximately \$2,500 more than District C per special education student. On a per-enrolled student basis, District C spent approximately \$891 more than District B.

### Medicaid

The Office of Public Instruction (OPI) and the Health Resources Division of the Department of Public Health and Human Services (DPHHS) have collaborated on a number of projects that have increased reimbursement to districts for certain special education costs. Additionally, the collaboration has led to an expansion in school-based Mental Health Services. The collaborative efforts were intended to expand Medicaid support of certain medical services provided by schools (e.g., school psychology, transportation, personal care attendants), establish a program for administrative claiming, and reinstate a school-based mental health program known as Comprehensive School and Community Treatment (CSCT).

Revenue to school districts has increased markedly as a result of the multiagency collaborative. Districts only receive the federal share of the Medicaid payment. A certification of match process is used to pay the state share of the Medicaid payment. Therefore, all increases in revenue to districts have come without any increase in cost to the state's general fund.



## FY '09 Medicaid Payments to Schools

■ CSCT   ■ Fee for Service   ■ Administrative Claiming



Source: DPHHS, Health Resources Division

There are three programs that provide Medicaid reimbursement to districts: 1) Fee for service provides reimbursement for special education-related services such as speech therapy, occupational therapy, and physical therapy (FY '09 payments to districts totaled \$2,523,820.15); 2) Administrative claiming compensates school districts for some of the costs associated with administration of school-based health services such as helping to identify and assist families in accessing Medicaid services and seeking appropriate providers and care (FY '09 payments to districts totaled \$1,129,299.85); and 3) CSCT services (FY '09 payments to districts totaled \$18,475,051.56). (Source for data on payments: DPHHS, Health Resources Division)

While fee for service and administrative claiming generally provided reimbursement for services already being provided by districts, the CSCT program was an expansion of services. The expansion re-established a school mental health program to help schools meet the growing need of serving children with serious emotional disturbance. The CSCT is a comprehensive planned course of treatment provided by Community Mental Health Centers in school and community settings. The CSCT services include: behavioral intervention, crisis intervention, treatment plan coordination, aftercare coordination and individual, group, and family therapy. Individualized treatment plans tailored to the needs of each student are developed by licensed mental health professionals in coordination with school staff.

Serious behavioral problems can significantly interfere with a student's education and the education of others. Community Mental Health Centers working in close cooperation with public school districts increase the likelihood that education and mental health programs are better coordinated. Because mental health professionals are present throughout the school day, they are available to intervene and redirect inappropriate behaviors and to teach appropriate behaviors and social skills at each opportunity. This "real-time" intervention in the "natural setting" promises to have a major impact on improving the effectiveness of children's mental health services and the quality of the educational environment for all children.

In FY '09, 3,272 children received CSCT services from 232 teams of therapists located in 83 cities. (Source for data: DPHHS, Health Resources Division)

Nearly all Medicaid reimbursements to districts for CSCT services are directly paid under contract to Community Mental Health Centers. Districts spend their Medicaid reimbursement from administrative claiming and fee-for-service on a wide variety of educational services.

## **Part 3 - Accountability**

### **Montana's State Performance Plan**

The *Individuals with Disabilities Education Improvement Act of 2004* requires states to submit a State Performance Plan (Part B – SPP) outlining efforts to implement the requirements and purposes of Part B of the Act, and describes how the state will improve such implementation [20 U.S.C. 1416(b)(1)].

The primary focus of the Performance Plan is based on three key monitoring priorities for the Office of Special Education Programs of the U.S. Department of Education:

1. Provision of a **free appropriate public education (FAPE) in the least restrictive environment (LRE)**;
2. the state exercise of **general supervisory authority**; and
3. **disproportionate representation** of racial/ethnic groups in special education and related services.

Within each of the three monitoring priorities, performance indicators established by the United States Secretary of Education quantify and prioritize outcome indicators for special education. The state uses these 20 performance indicators to establish measurable and rigorous targets with which to assess performance of both local educational agencies and the state over the next six years.

### **Statistical Methods Used**

To ensure statistically sound data when evaluating the school district's or state's progress in meeting its established performance target, a minimum (N) and/or confidence intervals are applied to reduce the effect of small sample sizes on the determination of performance. Results based on small sample sizes have a wider margin of error than those based on large sample sizes. In other words, the larger the sample size, the greater the likelihood that the data are representative of the population and not due to random factors unrelated to student characteristics or educational programs, known as measurement or sampling error. The use of the minimum N and confidence intervals is intended to improve the validity and reliability of target determinations by reducing the risk of falsely identifying the state as having failed to meet the target, based on measurement/sampling error.

### **CSPD Regional Performance**

Performance data for each CSPD region are provided below. This includes performance indicators the state is required to publicly report. District performance reports can be accessed using the following link <http://data.opi.mt.gov/SPEDReporting/>. Assignment of a specific school district to a CSPD region is based on the counties within the border of the CSPD region.

## Indicator 1 – Graduation Rates

The graduation rate for students with disabilities is a status graduation rate in that it utilizes a cohort method to measure the proportion of students who, at some point in time, completed high school. For further information as to the formula used in defining the cohort used in the calculation, please refer to Montana's State Performance Plan at <http://www.opi.mt.gov/Programs/SpecialEd/Index.html>.

The two tables below provide an evaluation of regional performance status (Table 1.3), and state performance status (Table 1.1 and Table 1.2) related to the State's Performance Target for graduation rates. These evaluations are based on the 2007-2008 school year.

Target data for FFY 2008 for special education graduation rates are provided in Table 1.1 below. The data used is for the 2007-2008 school year.

**Table 1.1 Montana Graduation Rates for Students with Disabilities**

School Year	Graduate Count for Special Education <sup>1</sup>	Total Special Education School Leaver Cohort <sup>2</sup>	Graduation Rates for Special Education
	A	B	% = A / B
2007-2008	934	1216	76.8%

The data in Table 1.2 below demonstrates Montana's progress in meeting its performance target for FFY 2008.

**Table 1.2 Montana Performance Target Status for FFY 2008**

School Year	Graduation Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2008	State Performance Status
2007-2008	76.8%	79.1%	74.4%	80.0%	Did Not Meet Target

**Table 1.3 Graduation Rates for Students with Disabilities for the 2007-2008 School Year**

	School Leaver Cohort Total	Graduate Count for Special Education	Completion Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target	SPP Performance Status
State of Montana	1216	934	76.8%	79.1%	74.4%	80.0%	Did Not Meet Target
CSPD Region I - PESA	122	96	78.7%	85.7%	69.5%		Met Target
CSPD Region II - MNCSR	205	152	74.1%	80.5%	66.7%		Met Target
CSPD Region III - SMART	288	220	76.4%	81.5%	70.4%		Met Target
CSPD Region IV - RESA4U	252	199	79.0%	84.1%	72.8%		Met Target
CSPD Region V - WM-CSPD	348	266	76.4%	81.1%	71.0%		Met Target

## Indicator 2 – Dropout Rates

The calculation method used in this report is an event rate (snapshot of those who drop out in a single year) adapted from the National Center for Education Statistics (NCES) at the U.S.

Department of Education and is consistent with the requirements of the NCES Common Core of Data (CCD) reporting.

Dropout Rate calculation:

Dropout Rates are calculated by dividing the number of special education dropouts, grades 7-12, by the number of students with disabilities, grades 7-12, enrolled in school as of the first Monday in October.

$$\frac{\text{Number of special education dropouts, grades 7-12}}{\text{Number of students with disabilities enrolled in school as of October 1, grades 7-12}}$$

The data source and measurement for this indicator have been revised to align with the ESEA reporting timelines and dropout rate calculation. There is a one-year data lag for this indicator. Therefore, data is from the 2007-2008 school year. Target data for FFY 2008 for special education dropout rates are provided in Table 2.1 below.

**Table 2.1 Montana Dropout Rates for School Year 2007-2008**

School Year	Special Education Dropout Count, Grades 7-12 <sup>1</sup>	Special Education Student Count, Grades 7-12 <sup>2</sup>	Special Education Dropout Rate
	A	B	% = A / B
2007-2008	346	7626	4.5%

The data presented in Table 2.2 below is used to assess Montana's progress in meeting its FFY 2008 performance target for the dropout rates of students with disabilities. The state set a target, based on a sample size of a minimum N of 10, of decreasing the dropout rates of students with disabilities to 5.1 percent for FFY 2008, within a 95 percent confidence interval. When assessing Montana's progress in meeting its established performance target, a minimum N of 10 and a confidence interval are applied to reduce the effect of variability due to small sample sizes.

**Table 2.2 Montana Performance Target Status for FFY 2008**

School Year	Special Education Dropout Rate	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target for FFY 2008	State Performance Status
2007-2008	4.5%	5.0%	4.1%	5.1%	Met Target

**Table 2.3 Montana Dropout Rates for Students with Disabilities by CSPD Region, 2007-2008**

School Year	Special Education Student Count, Grades 7-12	Special Education Dropout Count	Dropout Rate for Special Education	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target	SPP Performance Status
State of Montana	7626	346	4.5%	5.0%	4.1%	5.1%	Met Target
CSPD Region I - PESA	821	31	3.8%	17.0%	0.7%		Met Target
CSPD Region II - MNCSR	1241	52	4.2%	13.5%	1.2%		Met Target
CSPD Region III - SMART	1813	89	4.9%	11.5%	2.0%		Met Target
CSPD Region IV - RESA4U	1599	80	5.0%	12.2%	2.0%		Met Target
CSPD Region V - WM-CSPD	2136	94	4.4%	10.6%	1.7%		Met Target

### Indicator 3 – Statewide Assessments

#### Indicator 3A – Meeting Montana's AYP Objectives for the Disability Subgroup

Adequate yearly progress (AYP) is measured using Montana's required 3rd-8th, and 10th grade criterion which referenced reading and math test scores, participation, attendance, and graduation rates. Each school's test scores are divided into 10 student groups based on race/ethnicity, economically disadvantaged, students with disabilities, and limited English proficiency. If any of the 10 student groups does not meet any of six AYP measurements, then the entire school or district is labeled as not meeting the federal AYP requirements. Further information regarding adequate yearly progress can be found on the NCLB Report Card found at [www.opi.mt.gov/Reports&Data/Index.html#gpm1\\_9](http://www.opi.mt.gov/Reports&Data/Index.html#gpm1_9).

For purposes of the IDEA – Part B State Performance Plan, states are required to report on the number of districts with a minimum N of 30 for the disability subgroup meeting Montana's AYP objectives.

The two tables below provide an evaluation of regional performance (Table 3.3), and state performance (Table 3.1 and Table 3.2) related to the State's Performance Target for school districts meeting the AYP objectives for the disability subgroup. These evaluations are based on the 2008-2009 school year.

**Table 3.1 LEAs Meeting Montana's AYP Objectives for Disability Subgroup Overall**

School Year	OVERALL			
	Number of LEAs with a disability subgroup meeting Montana's minimum N size	Number of LEAs meeting Montana's AYP objectives for progress for students with IEPs	Percent of LEAs meeting Montana's AYP objectives for progress for students with IEPs	Indicator 3A Performance Target
2008-2009	68	6	8.8%	41.0%
2007-2008	70	31	44.3%	40.4%
2006-2007	56	28	50.0%	39.0%
2005-2006	57	23	40.4%	80.0%

**Table 3.2 Montana Performance Target Status for FFY 2008 – Indicator 3A AYP Objectives**

School Year	Percent of Districts Meeting AYP Objectives	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
2008-2009	8.8%	17.9%	4.1%	41.0%	Did Not Meet Target

**Table 3.3 Districts Meeting Montana's AYP Objectives for the Disability Subgroup**

	Number of Districts Meeting Min N for Subgroup	Number of Districts Meeting AYP Objectives	Percent of Districts Meeting AYP Objectives	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	68	6	8.8%	17.9%	4.1%	41.0%	Did Not Meet Target
CSPD Region I - PESA	10	0	0.0%	0.0%	0.0%		Did Not Meet Target
CSPD Region II - MNCESR	7	1	14.3%	84.8%	0.5%		Met Target
CSPD Region III - SMART	14	0	0.0%	0.0%	0.0%		Did Not Meet Target
CSPD Region IV - RESA4U	13	1	7.7%	82.4%	0.1%		Met Target
CSPD Region V - WM-CSPD	24	4	16.7%	63.8%	2.2%		Met Target

### Indicator 3B – Participation Rates

Participation rates are calculated by dividing the number of special education students who participated in the Math assessment plus the number of special education students who participated in the Reading by the number of students in special education in all grades assessed times two. This count includes all students with disabilities participating in the regular assessment (CRT), with and without accommodations, and in the alternate assessment (CRT-Alt). Note: The state performance target for participation of students with disabilities in assessments for the State Performance Plan under IDEA is not the same as used for the AYP determination.

The two tables below provide an evaluation of regional performance (Table 3.5), and state performance (Table 3.4) related to the State's Performance Target for participation rates of students with disabilities in state assessments. These evaluations are based on the 2007-2008 school year.

**Table 3. 4 Participation Rates of Students with Disabilities in State Assessments**

<b>SPP Indicator</b>	<b>Number of Students with Disabilities - All Grades Assessed</b>	<b>Number of Students with Disabilities - Participation Count</b>	<b>Participation Rate for Students with Disabilities</b>	<b>Confidence Interval - Upper Limit</b>	<b>Confidence Interval - Lower Limit</b>	<b>SPP Performance Target</b>	<b>State Performance Status</b>
Indicator 3B.1 - Reading	9001	8550	<b>95.0%</b>	95.4%	94.5%	<b>95.0%</b>	<b>Met Target</b>
Indicator 3B.2 - Math	9001	8584	<b>95.4%</b>	95.8%	94.9%	<b>95.0%</b>	<b>Met Target</b>

**Table 3.5 Participation Rates of Students with Disabilities in State Assessments by CSPD Region**

	<b>Number of Students with Disabilities in Grades Assessed</b>	<b>Number of Students with Disabilities Participating in State Assessment</b>	<b>Percent of Students Participating in State Assessment</b>	<b>Confidence Interval - Upper Limit</b>	<b>Confidence Interval - Lower Limit</b>	<b>SPP Performance Target</b>	<b>SPP Performance Status</b>
State of Montana	9001	8550	<b>95.0%</b>	95.4%	94.5%	<b>95.0%</b>	<b>Met Target</b>
CSPD Region I - PESA	1002	966	<b>96.4%</b>	97.4%	95.0%		<b>Met Target</b>
CSPD Region II - MNCSR	1275	1226	<b>96.2%</b>	97.1%	94.9%		<b>Met Target</b>
CSPD Region III - SMART	2027	1880	<b>92.7%</b>	93.8%	91.5%		<b>Did Not Meet Target</b>
CSPD Region IV - RESA4U	2028	1905	<b>93.9%</b>	94.9%	92.8%		<b>Did Not Meet Target</b>
CSPD Region V - WM-CSPD	2656	2560	<b>96.4%</b>	97.0%	95.6%		<b>Met Target</b>

### Indicator 3C – Proficiency Rates

Proficiency rates are calculated by dividing the number of special education students scoring Proficient or Advanced in the Math assessment plus the number of special education students scoring Proficient or Advanced in the Reading assessment by the number of students in all grades assessed times two. This count includes all students with disabilities who scored proficient or above in the regular assessment (CRT), with or without accommodations, and in the alternate assessment (CRT-Alt).

Table 3.6 below presents the LEA review of proficiency rate data for Indicators 3C.1-Reading and 3C.2-Math for FFY 2008.

**Table 3.6 Montana LEAs Not Meeting the FFY 2008 Performance Target for Proficiency**

Proficiency Rates in State Assessments Performance Indicators	Content Area	Number of LEAs With Students with Disabilities (a)	LEAs With Minimum N of 10 (b)		LEAs With Minimum N of 10 Meeting State Performance Target (c)		LEAs With Minimum N of 10 NOT Meeting State Performance Target (d)	
			#	%=(b/a)*100	#	%=(c/b)*100	#	%=(d/b)*100
Indicator 3C.1	Reading	357	154	43.1%	149	96.8%	5	3.2%
Indicator 3C.2	Math		154	43.1%	123	79.9%	31	20.1%

Table 3.7 below provides an evaluation of regional and state performance related to the established *performance target* for proficiency rates of students with disabilities on reading assessments. These evaluations are based on the 2008-2009 school year.

**Table 3.7 Proficiency Rates of Students with Disabilities on Reading Assessments**

	Number of Students with Disabilities in Grades Assessed	Number of Students with Disabilities - Proficient or Above	Proficiency Rate for Students with Disabilities	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	8583	3951	46.0%	47.1%	45.0%	33.0%	Met Target
CSPD Region I - PESA	937	382	40.8%	45.8%	36.0%		Met Target
CSPD Region II - MNCSR	1224	480	39.2%	43.7%	35.0%		Met Target
CSPD Region III - SMART	1918	886	46.2%	49.5%	42.9%		Met Target
CSPD Region IV - RESA4U	1945	950	48.8%	52.0%	45.7%		Met Target
CSPD Region V - WM-CSPD	2547	1244	48.8%	51.6%	46.1%		Met Target

Table 3.8 below provides an evaluation of regional and state performance related to the established performance target for proficiency rates of students with disabilities on math assessments. These evaluations are based on the 2008-2009 school year.

**Table 3.8 Proficiency Rates of Students with Disabilities on Math Assessments**

	Number of Students with Disabilities in Grades Assessed	Number of Students with Disabilities - Proficient or Above	Proficiency Rate for Students with Disabilities	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	8583	2390	27.8%	28.8%	26.9%	33.0%	Did Not Meet Target
CSPD Region I - PESA	937	214	22.8%	28.9%	17.7%		Did Not Meet Target
CSPD Region II - MNCSR	1224	302	24.7%	29.8%	20.1%		Did Not Meet Target
CSPD Region III - SMART	1918	508	26.5%	30.5%	22.8%		Did Not Meet Target
CSPD Region IV - RESA4U	1945	569	29.3%	33.1%	25.7%		Met Target
CSPD Region V - WM-CSPD	2547	792	31.1%	34.4%	28.0%		Met Target

#### Indicator 4 – Suspension and Expulsion Rates

The OPI compares the long-term suspension and expulsion rates for students with disabilities to the long-term suspension and expulsion rates for nondisabled students in order to determine if there is a *significant discrepancy* occurring with respect to long-term suspension and expulsion rates for students with disabilities.

### Long-term Suspension or Expulsion Definition

A suspension or expulsion that results in removal of a student, out-of-school, for greater than 10 school days or a student with multiple short-term (10 school days or less) out-of-school suspensions or expulsions that sum to greater than 10 school days during the school year.

### Significant Discrepancy Definition

An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

The two tables below provide a comparison between the long-term suspension and expulsion rates of students with disabilities and the rates of students without disabilities used in the evaluation of significant discrepancy.

**Table 4. 1 Montana Long-Term Suspension and Expulsion Rates for FFY 2008**

School Year	Number of Special Education Students with Long-term Suspension or Expulsion <sup>1</sup>	Special Education Child Count <sup>2</sup>	Special Education Long-term Suspension or Expulsion Rates	Number of Regular Education Students with Long-term Suspension or Expulsion <sup>3</sup>	General Education Enrollment <sup>4</sup>	Regular Education Long-term Suspension and Expulsion Rates
2007-2008	97	16089	0.6%	339	126674	0.3%

**Table 4.2 Montana Long-Term Suspension and Expulsion Rates By CSPD Region for the 2008-2009 School Year**

	Special Education Child Count	Number of Special Education Students with Long-term Suspension or Expulsion	Special Education Long-term Suspension or Expulsion Rates	General Education Enrollment	Number of Regular Education Students with Long-term Suspension or Expulsion	Regular Education Long-term Suspension and Expulsion Rates
State of Montana	16089	97	0.6%	126674	339	0.3%
CSPD Region I - PESA	1738	16	0.9%	11443	47	0.4%
CSPD Region II - MNCESR	2447	17	0.7%	19839	113	0.6%
CSPD Region III - SMART	3403	24	0.7%	26932	69	0.3%
CSPD Region IV - RESA4U	3478	9	0.3%	30541	51	0.2%
CSPD Region V - WM-CSPD	4541	13	0.3%	36949	77	0.2%

The IDEA Part B State Performance Indicator and Performance Target address the percent of districts identified as having a significant discrepancy in the rate of long-term suspensions and expulsions for students with disabilities compared to the rate of long-term suspensions and expulsions of students without disabilities. This is a compliance indicator meaning that the state performance target for every year will be 0 percent of districts will be identified as having significant discrepancy.

The two tables below provide an evaluation of regional performance (Table 4.4) and state performance (Table 4.3) related to the State's Performance Target for the percent of districts identified as having a significant discrepancy in the long-term suspension and expulsion rates of students with disabilities. These evaluations are based on the 2007-2008 school year.



**Table 4.3 State Performance on Long-Term Suspension and Expulsion Rates**

School Year	Total Number of LEAs (a)	Number of LEAs identified with significant discrepancy (b)	Percent of LEAs identified with significant discrepancy $\% = (b/a) \times 100$	SPP Performance Target	State Performance Status
2007-2008	421	0	0%	0.0%	Met Target

**Table 4.4 CSPD Region Performance on Long-Term Suspension and Expulsion Rates**

	Number of LEAs (a)	Number of LEAs identified with significant discrepancy (b)	Percent of LEAs identified with significant discrepancy $(b/a) \times 100$	SPP Performance Target	SPP Performance Status
State of Montana	419	0	0.0%	0.0%	Met Target
CSPD Region I - PESA	89	0	0.0%		Met Target
CSPD Region II - MNCSR	80	0	0.0%		Met Target
CSPD Region III - SMART	84	0	0.0%		Met Target
CSPD Region IV - RESA4U	86	0	0.0%		Met Target
CSPD Region V - WM-CSPD	80	0	0.0%		Met Target

### Indicator 5 – Education Environment

The educational placement count of students with disabilities, ages 6-21, is part of the larger child count data collection that is conducted on the first Monday of October each year. The IDEA Part B State Performance Plan requires that we report annually on the percent of students with disabilities, ages 6-21, for the following educational placement categories:

- Regular Class: Removed from regular class less than 21 percent of the day.
- Full-time Special Education: Removed from regular class greater than 60 percent of the day.
- Combined Separate Facilities: A roll-up of public/private separate schools, residential placements, and home or hospital settings.

The educational environment rate is calculated by dividing the number of students, ages 6-21, in a particular educational environment by the number of students with disabilities, ages 6-21, in the district.

The two tables below provide an evaluation of regional performance (Tables 5.2, 5.3, and 5.4), and state performance (Table 5.1) related to the State's Performance Targets for the educational placement of students with disabilities. These evaluations are based on the 2008-2009 school year.

**Table 5.1 Montana Educational Placement for FFY 2008**

SPP Indicator Number	Education Environment	Special Education Setting Count	Educational Placement Percent	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	State Performance Status
Indicator 5A	Served inside the Regular Class >= 80% of the day	8186	52.2%	53.0%	51.4%	49.0%	Met Target
Indicator 5B	Served inside the Regular Class < 40% of the day	1829	11.7%	12.2%	11.2%	12.0%	Met Target
Indicator 5C	Served in Separate Facilities	243	1.5%	1.8%	1.4%	1.5%	Met Target

**Table 5.2 State and CSPD Region Performance Status for Indicator 5A**

	Special Education Setting Count	Students with Disabilities Total Count	Education Environment Rate	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	15691	8186	52.2%	53.0%	51.4%	49.0%	Met Target
CSPD Region I - PESA	1738	916	52.7%	55.9%	49.5%		Met Target
CSPD Region II - MNCSR	2412	1316	54.6%	57.2%	51.9%		Met Target
CSPD Region III - SMART	3403	1539	45.2%	47.7%	42.8%		Did Not Meet Target
CSPD Region IV - RESA4U	3461	1991	57.5%	59.7%	55.3%		Met Target
CSPD Region V - WM-CSPD	4541	2409	53.0%	55.0%	51.1%		Met Target

**Table 5.3 State and CSPD Region Performance Status for Indicator 5B**

	Special Education Setting Count	Students with Disabilities Total Count	Education Environment Rate	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	15691	1829	11.7%	12.2%	11.2%	12.0%	Met Target
CSPD Region I - PESA	1738	227	13.1%	18.1%	9.3%		Met Target
CSPD Region II - MNCSR	2412	274	11.4%	15.7%	8.1%		Met Target
CSPD Region III - SMART	3403	530	15.6%	18.9%	12.7%		Met Target
CSPD Region IV - RESA4U	3461	341	9.9%	13.5%	7.1%		Met Target
CSPD Region V - WM-CSPD	4541	455	10.0%	13.1%	7.6%		Met Target

**Table 5.4 State and CSPD Region Performance Status for Indicator 5C**

	Special Education Setting Count	Students with Disabilities Total Count	Education Environment Rate	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	15691	243	1.5%	1.8%	1.4%	1.5%	Met Target
CSPD Region I - PESA	1738	12	0.7%	25.3%	0.0%		Met Target
CSPD Region II - MNCSR	2412	13	0.5%	23.6%	0.0%		Met Target
CSPD Region III - SMART	3403	50	1.5%	9.7%	0.2%		Met Target
CSPD Region IV - RESA4U	3461	40	1.2%	10.8%	0.1%		Met Target
CSPD Region V - WM-CSPD	4541	28	0.6%	13.1%	0.0%		Met Target

### Indicator 6 – Preschool Settings

Data for this indicator was not reported in the February 1, 2010, Annual Performance Report due to revisions in Preschool Setting categories and definitions.

### Indicator 7 – Preschool Outcomes

This Indicator is designed to follow a preschool student longitudinally while the student is participating in a preschool program. For purposes of this data collection all children who have an Individualized Education Program (IEP) **AND** are 3, 4, or 5 years of age participate in a preschool program. For reporting in the State Performance Plan and subsequent Annual Performance Reports, there are two sets of data that OPI will collect each year:

1. Entry-level data for preschool students with disabilities reported for the first time on Child Count (initial IEP).
2. Exit-level and progress data for preschool students with disabilities who have reported entry-level data six months prior to exiting.

Preschool outcome data is currently being collected through our annual child count and exiting data collections. However, due to the longitudinal design, baseline data and targets for this indicator were first reported in the Annual Performance Report submitted on February 1, 2010.

### Indicator 8 – Parent Involvement

The OPI employs a sampling methodology to gather data for this indicator that is aligned with the five-year compliance monitoring cycle. Therefore, district performance for this indicator is only reported for districts monitored in the year in which data is being reported.

To report on this indicator, each of the survey respondents received a percent of maximum score based on their responses to the 26 items on the survey. A parent who has a percent of maximum score of 60 percent or above is identified as one who, on average, agrees with each item; as such, the family member is agreeing that the school facilitated their involvement.

The parent involvement rate is calculated by dividing the number of respondent parents who report the school facilitated parent involvement as a means of improving services and results for children with disabilities by the total number of respondent parents of children with disabilities.

The two tables below provide an evaluation of regional performance (Table 8.2), and state performance (Table 8.1) related to the State's Performance Targets for the educational placement of students with disabilities. These evaluations are based on the 2008-2009 school year.

**Table 8. 1 Montana Parental Involvement Data**

School Year	Number who reported school facilitated their involvement	Total number of Parent respondents	Percentage who reported school facilitated their involvement	Confidence Interval - High	Confidence Interval - Low	SPP Performance Target	State Performance Status
2008-2009	830	1139	72.9%	75.4%	70.2%	66.0%	Met Target

**Table 8.2 Results of Parent Involvement Survey for the 2008-2009 School Year**

	Total Number of Parent Respondents	Number who reported school facilitated their involvement	Percent who reported school facilitated their involvement	Confidence Interval - Upper Limit	Confidence Interval - Lower Limit	SPP Performance Target	SPP Performance Status
State of Montana	1139	830	72.9%	75.4%	70.2%	66.0%	Met Target
CSPD Region I - PESA	103	69	67.0%	76.9%	55.3%		Met Target
CSPD Region II - MNCSR	159	111	69.8%	77.6%	60.7%		Met Target
CSPD Region III - SMART	97	67	69.1%	78.9%	57.2%		Met Target
CSPD Region IV - RESA4U	238	168	70.6%	77.0%	63.3%		Met Target
CSPD Region V - WM-CSPD	542	415	76.6%	80.4%	72.3%		Met Target

### Indicator 9 – Disproportionate Representation

This indicator evaluates disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Measurement for this indicator, as reported in the Annual Performance Report, is the percent of districts identified as having a disproportionate representation due to inappropriate identification practices. This is a compliance indicator meaning that the target for each year of the State Performance Plan will be 0 percent of districts have been identified as having disproportionate representation due to inappropriate identification procedures.

#### Definition of Disproportionate Representation

An LEA is determined to have **disproportionate representation** (under or over) if, given a minimum N of 10 and within a 99 percent confidence interval, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of a specific racial/ethnic group receiving special education and related services compared to the proportion of students with disabilities in all other racial/ethnic groups receiving special education and related services in that LEA.

Once an LEA is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

**Table 9.1 Montana Disproportionate Representation for FFY 2008**

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures % = (b/a)*100	SPP Performance Target	State Performance Status
2008-2009	420	0	0.0%	0.0%	Met Target

**Table 9.2 District Review of Disproportionate Representation by CSPD Region**

	Number of School Districts Reviewed	Number Districts Identified With Disproportionate Representation (a)	Number Districts Identified with Disproportionate Representation Due to Inappropriate Identification (b)	Percent of Districts Identified with Disproportionate Representation Due to Inappropriate Identification Procedures $\% = (b/a) * 100$	SPP Performance Status
<b>State of Montana</b>	420	1	0	0.0%	<b>Met Target</b>
CSPD Region I - PESA	90	0	0	0.0%	Met Target
CSPD Region II - MNCE SR	80	0	0	0.0%	Met Target
CSPD Region III - SMART	84	1	0	0.0%	Met Target
CSPD Region IV - RESA4U	85	0	0	0.0%	Met Target
CSPD Region V - WM-CSPD	81	0	0	0.0%	Met Target

A review of the data above indicates the following:

- ❖ One school district is identified as having disproportionate representation of racial/ethnic groups in special education. But after a review of policies, practices, and procedures, there are **no school districts** identified as having disproportionate representation of racial and ethnic groups **due to inappropriate identification practices**.
- ❖ Therefore, all CSPD regions and the state have met this state performance target.

The table below provides information on the racial/ethnic group and type of disproportionate representation for the one school district.

**Table 9.3 Districts Identified with Disproportionate Representation**

CSPD Region	School District	Racial and Ethnic Group	Disproportionate Representation Status
CSPD Region III - SMART	District A	American Indian/Alaskan Native	Over-Representation

#### **Indicator 10 – Disproportionate Representation - Disability Categories**

Evaluation of district performance for this indicator involves the same multiple measures employed for Indicator 9. Again, this indicator is a compliance indicator meaning that the target for each year of the State Performance Plan will be 0 percent of districts have been identified as having disproportionate representation in specific disability categories due to inappropriate identification procedures.

Table 10.1 Montana Disproportionate Representation in Specific Disability Categories for FFY 2008

School Year	Number of LEAs Reviewed (a)	Number of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of LEAs Identified with Disproportionate Representation Due to Inappropriate Identification Procedures $\% = (b/a) \times 100$	SPP Performance Target	State Performance Status
2008-2009	420	0	0.0%	0.0%	Met Target

Table 10.2 District Identified with Disproportionate Representation-Specific Disabilities

	Number of School Districts Reviewed	Number Districts Identified With Disproportionate Representation (a)	Number Districts Identified with Disproportionate Representation Due to Inappropriate Identification Procedures (b)	Percent of Districts Identified with Disproportionate Representation Due to Inappropriate Identification Procedures $\% = (b/a) \times 100$	SPP Performance Status
State of Montana	420	0	0	0.0%	Met Target
CSPD Region I - PESA	90	0	0	0.0%	Met Target
CSPD Region II - MNCESR	80	0	0	0.0%	Met Target
CSPD Region III - SMART	84	0	0	0.0%	Met Target
CSPD Region IV - RESA4U	85	0	0	0.0%	Met Target
CSPD Region V - WM-CSPD	81	0	0	0.0%	Met Target

A review of the data above indicates the following:

- ❖ There were ***no school districts*** identified as having disproportionate representation of racial and ethnic groups in specific disability categories ***due to inappropriate identification practices***.
- ❖ All CSPD/RSA regions and the state have met this state performance target.

#### Indicator 11 – Child Find

The OPI employs a sampling methodology to gather data for this indicator that is aligned with the five-year compliance monitoring cycle. Therefore, school district performance for this indicator is only reported for districts monitored in the year in which data is being reported. During the compliance monitoring process, the OPI reviews a sample of student records for students who have been initially evaluated for special education services. This review includes a comparison of the date of the school district's receipt of written parent permission for evaluation to the date that the evaluation was completed to ensure that the evaluation was conducted in accord with the 60-day timeline.

The evaluation rate is calculated by dividing the number of reviewed IEPs for students whose eligibility was determined within the 60-day timeline by the total number of reviewed IEPs for students for whom parental consent to evaluate was received.

The table below presents the state's performance data for this indicator that was reported in the Annual Performance Report submitted on February 1, 2010. This is a compliance indicator meaning that the performance target is 100 percent of children, with parental consent to evaluate, will be evaluated within 60 days unless there was an exception to the timeframe in accord with the provisions stated in Sec. 614(a)(1)(C)(ii).

**Table 11. 1 Montana Performance Target Status**

School Year	Number of Children for whom Parent Consent to Evaluate was Received	Number of Children whose Evaluations were Completed within 60 days	Percent of Children with Parent Consent Evaluated within 60 days	SPP Performance Target	State Performance Status
2008-2009	152	137	90.1%	100.0%	Did Not Meet Target

The following table presents each region's performance status for the 2008-2009 school year.

**Table 11. 2 CSPD Region Performance Target Status**

	Number of Children for whom Parent Consent was Received	Number of Children whose Evaluations were Completed within 60 days	Percent of Children with Parent Consent Evaluated within 60 days	SPP Performance Target	SPP Performance Status
<b>State of Montana</b>	154	139	90.3%	100.0%	Did Not Meet Target
CSPD Region I - PESA	10	5	50.0%		Did Not Meet Target
CSPD Region II - MNCSR	29	27	93.1%		Did Not Meet Target
CSPD Region III - SMART	16	16	100.0%		Met Target
CSPD Region IV - RESA4U	36	33	91.7%		Did Not Meet Target
CSPD Region V - WM-CSPD	63	58	92.1%		Did Not Meet Target

## Indicator 12 – Part C to Part B Transition

In collaboration with the lead agency for the IDEA Part C Early Intervention Program, the OPI collects data from specific school districts in order to evaluate performance for this indicator. Therefore, performance data reported are for those districts who received a referral for IDEA Part B eligibility determination from the IDEA Part C Early Intervention Program.

The OPI receives child-specific referral data from each Part C provider that includes the name of the LEA receiving the referral and the date of the referral. The OPI contacts each LEA to collect additional data, including the following: date of eligibility meeting, eligibility determination outcome, date of the initial IEP, and any reasons for delay if the initial IEP was not implemented by the child's third birthday.

The indicator rate, the percent of children found eligible for Part B and who have an IEP developed and implemented by their third birthday, is calculated by dividing the number of children found eligible and have an IEP developed and implemented by their third birthday by the number of children referred by Part C to Part B for eligibility determination.

This is a compliance indicator meaning that the state's performance target will be 100 percent for each year of the State Performance Plan.

The table below presents state performance data for this indicator as reported in the Annual Performance Report submitted February 1, 2010.

**Table 12. 1 Montana Performance Target Status for FFY 2008**

School Year	Number of Children Referred By Part C to Part B for Eligibility Determination	Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday	Percent of Children Referred by Part C Prior to Age 3, Who Are Found Eligible for Part B, and Who Have An IEP Developed and Implemented By Their Third Birthdays	SPP Performance Target	State Performance Status
2008-2009	204	98	70.5%	100.0%	Did Not Meet Target

The following table presents performance data by CSPD Region for this indicator.

**Table 12. 2 CSPD Region Performance Target Status**

	Number of Children Referred by Part C to Part B for Eligibility Determination	Number of Children found Eligible for Part B and Who Have an IEP Developed and Implemented by Their Third Birthday	Percent of Children Referred by Part C Prior to Age 3, Who Have An IEP Developed and Implemented by Their Third Birthday	SPP Performance Target	SPP Performance Status
State of Montana	139	98	70.5%	100.0%	Did Not Meet Target
CSPD Region I - PESA	15	5	33.3%		Did Not Meet Target
CSPD Region II - MNCE SR	29	24	82.8%		Did Not Meet Target
CSPD Region III - SMART	35	26	74.3%		Did Not Meet Target
CSPD Region IV - RESA4U	23	17	73.9%		Did Not Meet Target
CSPD Region V - WM-CSPD	37	26	70.3%		Did Not Meet Target

### Indicator 13 – Secondary Transition with IEP Goals

In accord with OSEP instructions for the Part B State Performance Plan and Annual Performance Report, states are not required to report on this Indicator for FFY 2008.

### Indicator 14 – Post-School Outcomes

In accord with OSEP instructions for the Part B State Performance Plan and Annual Performance Report, states are not required to report on this Indicator for FFY 2008.



**Indicator 15 – General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible, but in no case later than one year from identification.**

The OPI has a comprehensive system of general supervision that includes a review of IDEA Part B applicants' policies and procedures to ensure consistency with IDEA Part B requirements. It also includes procedures for formal complaints and due process hearings and mediation, an Early Assistance Program (EAP) to resolve issues prior to their becoming formal complaints or going to due process. It provides a compliance monitoring process based on a five-year cycle, and a focused intervention system based on selected performance indicators.

Each component of the general supervision system includes procedures for tracking data to ensure requirements and timelines are addressed in a timely manner. Analysis of data from the 2007-2008 school year shows that all timelines for due process hearings, mediations and formal complaints have been met 100 percent of the time.

Monitoring data for 2007-2008 was analyzed and reported in the Annual Performance Report.

School Year	Number of Findings of noncompliance identified in FFY 2007 (7/1/07 – 6/30/08)	Number of Findings of Noncompliance from (a) for which Correction was verified No Later Than One Year from Identification	Percent of Findings of Noncompliance Corrected within One Year Timeline	Spp Performance Target	State Performance Status
2007-2008	67	67	100.0%	100.0%	Met Target

**Indicator 16 – Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.**

The Montana Office of Public Instruction received five written, signed complaints for FFY 2008 with three of those complaints withdrawn or dismissed. Target data indicate the two remaining complaints had reports issued within extended timelines.

**Table 16.1 Signed, Written Complaints for FFY 2008**

Table 7, Section A	Written, Signed Complaints	Number
(1.1)	Complaints with reports issued	2
(b)	Reports within timeline	0
(c)	Reports within extended timelines	2
$\%=(b+c) / (1.1)$	Percent of Complaint Reports Issued Within Timeline	100.0%

For FFY 2008 (2008-2009 School Year), 100 percent of complaint reports were issued within the specific timeline. Therefore, Montana has met its performance target of 100 percent of written, signed complaints will have a final report issued within 60 days or within the timeline extension given for exceptional circumstances with respect to a particular complaint or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the state.

**Table 16.2 Montana Performance Target Status for FFY 2008**

<b>School Year</b>	<b>Percent of Complaint Reports Issued Within Timeline</b>	<b>SPP Performance Target</b>	<b>State Performance Status</b>
2008-2009	<b>100.0%</b>	<b>100.0%</b>	<b>Met Target</b>

**Indicator 17 – Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.**

The Montana OPI received three due process complaints. All three were resolved without a hearing (Table 7, Section C, 3.3). Therefore, Montana has nothing to report for this indicator.

**Table 17.1 Percent of Hearings Full Adjudicated Within Timeline for FFY 2008**

<b>Table 7, Section C</b>	<b>Due Process Complaints</b>	<b>Number</b>
(3.2)	Hearings (fully adjudicated)	0
(a)	Decisions within timeline	0
(b)	Decisions within extended timeline	0
<b>%=(a+b) / (3.2)</b>	<b>Percent of Hearings Fully Adjudicated Within Timeline</b>	<b>0.0%</b>

**Indicator 18 – Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.**

The Montana Office of Public Instruction had one hearing request that went to a resolution session for FFY 2008. Guidance from the OSEP indicates states are not required to establish baseline or targets until the reporting period in which the number of resolution sessions reaches 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

**Table 18.1 Percent of Hearing Requests with Settlement Agreements for FFY 2008**

<b>Table 7, Section C</b>	<b>Resolution Sessions</b>	<b>Number</b>
(3.1)	Resolution sessions	1
(a)	Written Settlement Agreements	1
<b>%=(a) / (3.1)</b>	<b>Percent of Hearing Requests with Settlement Agreements</b>	<b>100.0%</b>

**Indicator 19 – Percent of mediations held that resulted in mediation agreements.**

For FFY 2008, the OPI had a total of three mediation requests. One was a mediation, related to due process, that resulted in a written agreement and two mediations not related to due process resulted in a written agreement. Guidance from the OSEP indicates that states are not required to establish baseline or targets until the reporting period in which the number of mediations

reach 10 or greater. Therefore, Montana does not need to establish a baseline or targets for this indicator at this time.

**Table 19.1 Percent of Mediations Resulting in Agreements for FFY 2008**

<b>Table 7, Section B</b>	<b>Mediation Requests</b>	<b>Number</b>
(2.1)	Mediations	3
(a)(i)	Mediation, related to Due Process, with agreements	2
(b)(i)	Mediation, not related to Due Process, with agreements	1
<b>%=[(a)(i) + (b)(i)] / (2.1)</b>	<b>Percent of Mediations Held Resulting in Agreements</b>	<b>100.0%</b>

**Indicator 20** – State-reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

The OPI has consistently met designated timelines 100 percent of the time over the past five years. Data are reviewed and validation checks performed to ensure accuracy of the submitted data.

**Table 20.1 Montana Performance Target Status for FFY 2008**

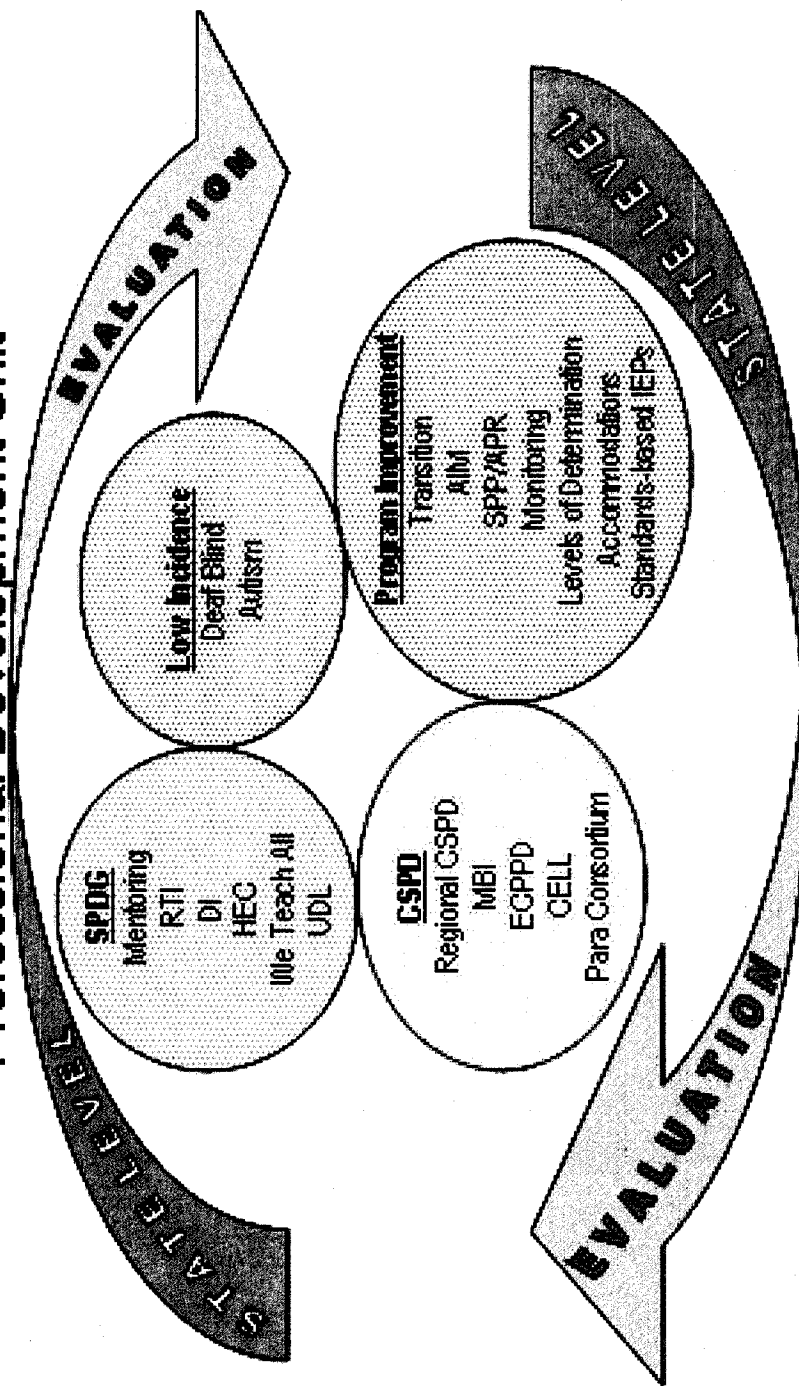
<b>Total Score</b>	<b>Indicator Percent</b>	<b>SPP Performance Target</b>	<b>State Performance Status</b>
78	100.0%	100.0%	<b>Met Target</b>

## **Appendices:**

- A. Professional Development Unit Flow Chart and Acronym Dictionary
- B. School Improvement/Monitoring Unit Flow Chart and Acronym Dictionary
- C. Part B/Data and Accountability Unit Flow Chart and Acronym Dictionary
- D. Part B/Data and Accountability Monthly Task List

Appendix A:

# OPI Special Education Professional Development Unit



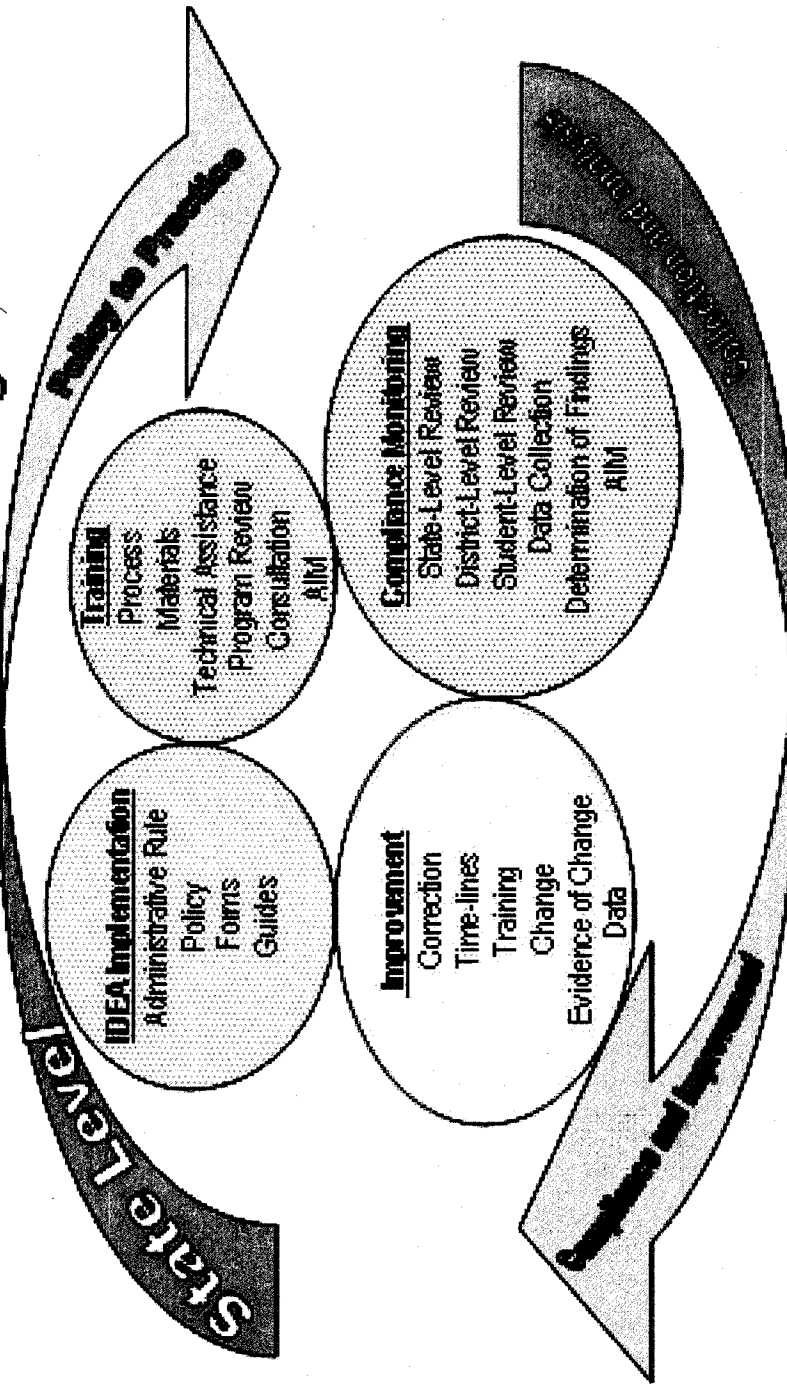
Montana Office of Public Instruction  
Denise Juneau, Superintendent o pi.mt.gov

# Professional Development Unit

## Acronym Dictionary

SPDG	State Personnel Development Grant
RTI	Response to Intervention
DI	Differentiated Instruction
HEC	Higher Education Consortium
UDL	Universal Design for Learning
CSPD	Comprehensive System of Personnel Development
MBI	Montana Behavioral Initiative
ECPPD	Early Childhood Partnership of Professional Development
CELL	Center for Early Learning Literacy
AIM	Achievement in Montana
SPP/APR	State Performance Plan/Annual Performance Report
IEP	Individualized Education Plan

# OPI Special Education School Improvement/Monitoring Unit



Montana Office of Public Instruction  
Center Junction, Superintendent's Office

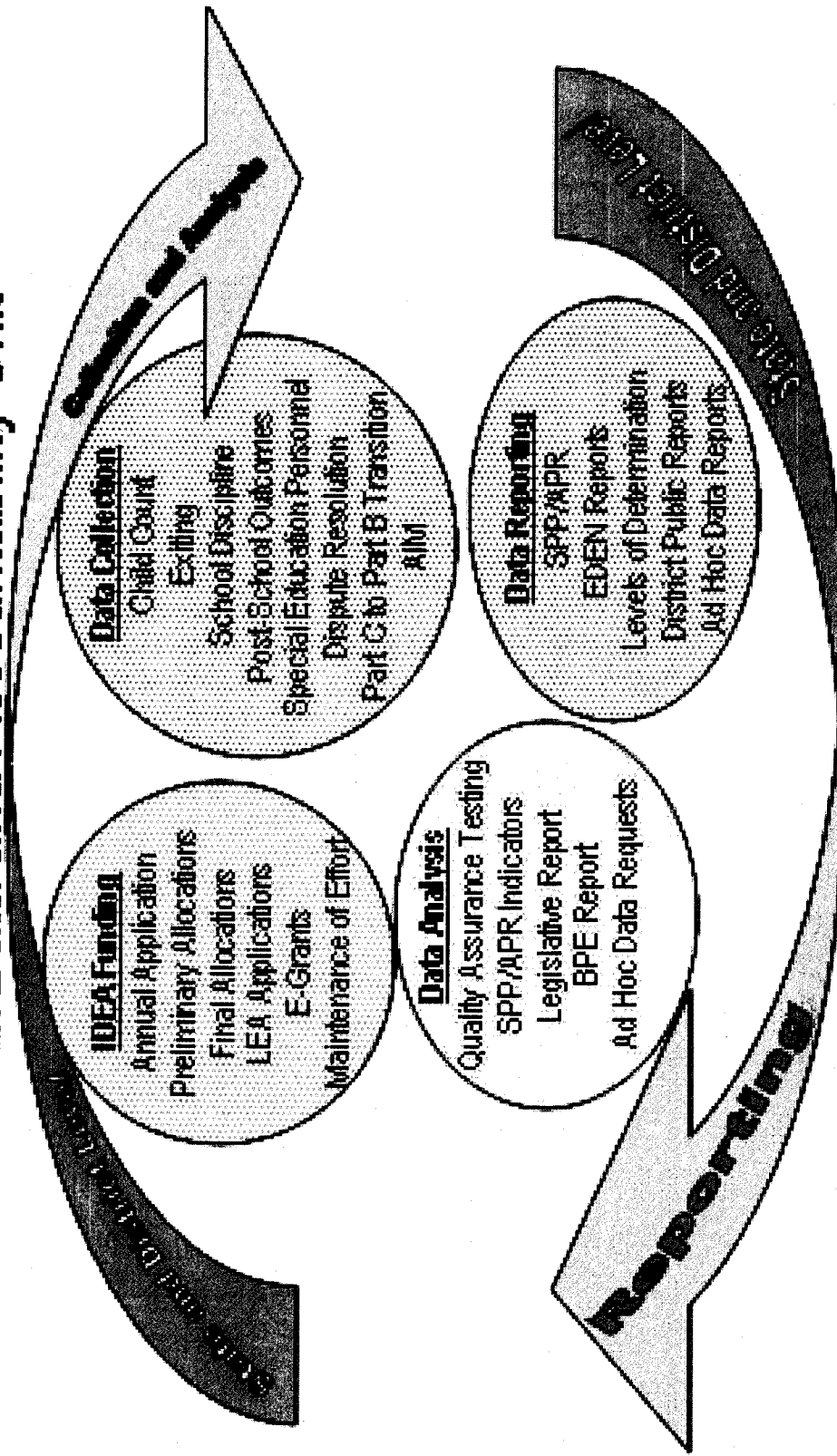
# School Improvement/Monitoring Unit

## Acronym Dictionary

IDEA	Individuals with Disabilities Education Act of 2004
AIM	Achievement in Montana



# OPI Special Education Part B/Data and Accountability Unit



# Part B/Data and Accountability Unit

## Acronym Dictionary

ADC	Annual Data Collection
AIM	Achievement In Montana—The statewide student data system which includes the Special Education module
APR	Annual Performance Report—The state's annual report to OSEP regarding the state's progress toward the targets in the State Performance Plan
EDEN	Education Data Exchange Network—The portal through which states submit data to the U.S. Department of Education
E-Grants	The OPI's electronic consolidated grant application for all federal grants that are subgranted to schools
IDEA	Individuals with Disabilities Education Act
LEA	Local Education Agency
MOE	Maintenance of Effort—The federal grant requirement that grant recipients maintain expenditures of state and local funds at the level of the previous year's expenditures
OSEP	Office of Special Education Programs—An office within the U.S. Department of Education that oversees the implementation of the IDEA
SPP	State Performance Plan
TA	Technical Assistance—Assistance provided to Montana schools to ensure the collection of valid and reliable data
UAT	User Acceptability Testing—Testing completed on the AIM system to ensure that programming changes meet the OPI requirements

**Appendix D:**

**SPECIAL EDUCATION  
IDEA Part B/ Data and Accountability Unit  
CALENDAR OF DATES  
Updated June 2009**

**July**

- ✓ Federal Part B grant letter is received
  - Final Allocation reports are prepared and posted on the Web site
  - Memo is sent to coops/districts announcing final awards are available
  - Any changes needed to E-grants sent to Linda Gardner
  - Review and approve Part-B project applications
- ✓ Validate Suspension/Expulsion Data
- ✓ Validate Exiting Data
- ✓ MOE program changes for coming year identified
- ✓ Preparation for Child Count collection
- ✓ Provide TA on Post-School Outcomes Survey (Indicator 14)
- ✓ Prepare form to collect Part C to Part B transition (Indicator 12)
- ✓ AIM UAT on June mid-year release
- ✓ Validate Preschool Outcome data (Indicator 7)
- ✓ Prepare LEA Levels of Determination
- ✓ Additional SPP/APR support as needed
  - Preschool Outcomes follow-up
- ✓ Begin working on Assessment validations

**August**

- ✓ Validate Suspension/Expulsion Data
- ✓ Validate Exiting Data (have ready by 8/30 for SPP/APR purposes)
- ✓ MOE program changes for coming year identified
- ✓ Preparation for Child Count collection
- ✓ Provide TA on Post-School Outcomes Survey (Indicator 14)
- ✓ Data collection for Part C to Part B transition (Indicator 12)
- ✓ LEA Levels of Determination published
- ✓ AIM Training begins
- ✓ AIM UAT on June mid-year release (should be in districts by mid-month)
- ✓ Validate Assessment Data for EDEN reporting
- ✓ Additional SPP/APR support as needed
  - Preschool Outcomes follow-up (Indicator 7)
- ✓ Data Training for school districts
- ✓ Begin analysis of Graduation Rates (Indicator 1)
- ✓ Begin analysis of Dropout Rates (Indicator 2)
- ✓ Begin analysis of Suspension and Expulsion (Indicator 4)
- ✓ Begin analysis of Preschool Outcomes (Indicator 7)
- ✓ OSEP Leadership Conference and National Accountability Conference

**September**

- ✓ Preliminary work done on ADC collection of special education personnel data

- ✓ Validate Suspension/Expulsion Data (due 9/30)
- ✓ Validate Exiting Data (due 9/30)
- ✓ SUBMIT Exiting and Discipline EDEN files by 9/30
- ✓ SUBMIT Assessment Data EDEN files by 9/30
- ✓ Preparation for Child Count collection (opens 9/28)
- ✓ AIM Training
- ✓ AIM UAT on patches
- ✓ Additional SPP/APR support as needed
- ✓ Dispute Resolution table compiled
- ✓ Data Training for school districts
- ✓ Part C to Part B transition follow-up (Indicator 12)
- ✓ Begin analysis of Assessment data (Indicator 3)
- ✓ Begin analysis of Child Find-60-Day Timeline (Indicator 11)
- ✓ Begin analysis of IEP Transition (Indicator 13)
- ✓ School Discipline application opens
  - Assign usernames and passwords

## October

- ✓ MOE
  - Programming should be completed and tested by the first of the month
  - Mid-month, attend meeting on MOE with all divisions
  - Mid month, start MOE and special education reversion calculations
- ✓ ADC collection of special education personnel data takes place
- ✓ Validate Suspension/Expulsion Data (submit by 11/1)
- ✓ Validate Exiting Data (submit by 11/1)
- ✓ Child Count collection open (10/1-10/31)
- ✓ AIM Training for school district personnel
- ✓ AIM UAT on patches
- ✓ Additional SPP/APR support as needed
- ✓ Data Training for school districts
- ✓ Private School Child Count
- ✓ School discipline collection TA
- ✓ Preschool Outcomes data analysis (Indicator 7)
- ✓ Begin analysis of Parent Involvement Survey data (Indicator 8)
- ✓ Begin analysis of Part C to Part B transition data (Indicator 12)
- ✓ Post-School Outcomes Survey (Indicator 14)
  - Calculate Response Rates
  - Begin analysis

## November

- ✓ SUBMIT Dispute Resolution EDEN file by 11/1
- ✓ Begin development of APR
- ✓ Coop Membership Reports prepared and sent out
- ✓ Certified Director report (from Kathleen Wanner)
- ✓ MOE
  - Finalize calculations (MOE and reversion)
  - Run preliminary MOE reports and post to Web
  - Notify districts that failed to maintain effort
  - Review applications for MOE exceptions

- ✓ ADC follow-up
- ✓ Child Count
  - Follow-up (closes 10/31)
  - Begin validations
- ✓ AIM Training
- ✓ AIM UAT on patches
- ✓ Additional SPP/APR support as needed
- ✓ Data Training for school districts
- ✓ School discipline collection TA
- ✓ Begin analysis of Dispute Resolution data
  - Complaints (Indicator 16)
  - Hearings (Indicator 17)
  - Resolution sessions (Indicator 18)
  - Mediations (Indicator 19)

## **December**

- ✓ Validate Child Count Data (due 2/1)
- ✓ SPP/APR support (due 2/1)
- ✓ Validate Personnel Data
- ✓ Coop membership report follow-up
- ✓ AIM UAT on patches
- ✓ School discipline collection TA
- ✓ Begin analysis of Findings – (Indicator 15)
- ✓ Begin analysis of Timely, Valid, Reliable Data (Indicator 20)

## **January**

- ✓ Validate Child Count Data
- ✓ SPP/APR support
- ✓ Validate Personnel Data
- ✓ Coop membership report follow-up
- ✓ AIM UAT on December release
- ✓ School discipline collection TA
- ✓ Finish analysis of Indicators for SPP/APR
- ✓ Complete APR and revisions to SPP

## **February**

- ✓ SUBMIT Child Count EDEN file and SPP/APR
- ✓ Begin work on preliminary Allocations
- ✓ Begin work on Final MOE Reports
- ✓ Begin looking at changes for exiting
- ✓ Begin looking at changes for school discipline
- ✓ Validate Personnel Data
- ✓ AIM UAT on December release
- ✓ School discipline collection TA
- ✓ Complete Annual Application for Funds Under Part B of the IDEA
  - Post completed application for public comment

## **March**

- ✓ Begin looking at changes for exiting
- ✓ Begin looking at changes for school discipline
- ✓ Final MOE reports are sent out and posted to the OPI Web site
- ✓ Prepare annual report to the Board of Public Education
- ✓ LEA Determinations
- ✓ Calculate Disproportionate Representation (Indicators 9 and 10)
- ✓ Calculate Significant Disproportionality
- ✓ Begin work on preliminary Allocations
- ✓ AIM UAT on patches
- ✓ School discipline collection TA

## **April**

- ✓ Prepare for exiting
  - Work with programmer to get necessary changes made
  - Test program
- ✓ Prepare for school discipline
  - Work with programmer to get necessary changes made
  - Test program
- ✓ Prepare annual report to the Board of Public Education
- ✓ LEA Determinations
- ✓ Preliminary Allocations published
- ✓ School discipline collection TA
- ✓ AIM UAT on patches
- ✓ SPP/APR Opportunity for Clarification
- ✓ SUBMIT Annual Application for Funds Under the IDEA

## **May**

- ✓ Exiting opens
- ✓ School Discipline application opens for submission
- ✓ School discipline application TA
- ✓ AIM UAT on patches
- ✓ E-Grants application opens
- ✓ Test District Public Report

## **June**

- ✓ School Discipline and Exiting applications open (close 6/30)
- ✓ AIM UAT on patches
- ✓ School discipline application TA
- ✓ Exiting application TA
- ✓ District Public Report Posted to Web (6/1/)
- ✓ Begin work on Assessment validations
- ✓ Begin Child Count Preparation
  - Work with programmer to get necessary changes made
  - Test program
- ✓ OSEP Data Conference